United Nations S/2009/399

Security Council

Distr.: General
4 August 2009

Original: English

Argentina, Australia, Austria, Belgium, Benin, Burkina Faso, Canada, Chile, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Luxembourg, Mexico, Monaco, Netherlands, New Zealand, Norway, Peru, Portugal, Republic of Korea, Rwanda, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Uruguay: draft resolution

The Security Council,

Reaffirming its resolutions 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003, 1539 (2004) of 22 April 2004, and 1612 (2005) of 26 July 2005, and the Statements of its President on 24 July 2006 (S/PRST/2006/33), 28 November 2006 (S/PRST/2006/48), 12 February 2008 (S/PRST/2008/6), 17 July 2008 (S/PRST/2008/28) and 29 April 2009 (S/PRST/2009/9), which contribute to a comprehensive framework for addressing the protection of children affected by armed conflict,

Acknowledging that the implementation of its resolution 1612 (2005) has generated progress, resulting in the release and reintegration of children into their families and communities and in a more systematic dialogue between the United Nations country-level task forces and parties to the armed conflict on the implementation of time-bound action plans, *while remaining deeply concerned* over the lack of progress on the ground in some situations of concern, where parties to conflict continue to violate with impunity the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict,

Stressing the primary role of national Governments in providing protection and relief to all children affected by armed conflicts,

Reiterating that all actions undertaken by United Nations entities within the framework of the monitoring and reporting mechanism must be designed to support and supplement, as appropriate, the protection and rehabilitation roles of national Governments,

09-44208 (E) 040809

Please recycle

Recalling the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children,

Welcoming the fact that several individuals who are alleged to have committed crimes against children in situations of armed conflict have been brought to justice by national justice systems and international justice mechanisms and mixed criminal courts and tribunals,

Convinced that the protection of children in armed conflict should be an important aspect of any comprehensive strategy to resolve conflict,

Calling on all parties to armed conflicts to comply strictly with the obligations applicable to them under international law for the protection of children in armed conflict, including those contained in the Convention on the Rights of the Child and its Optional Protocol on the involvement of Children in Armed Conflict, as well as the Geneva Conventions of 12th August 1949 and their Additional Protocols of 1977,

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children,

Stressing its determination to ensure respect for its resolutions and other international obligations and applicable norms on the protection of children affected by armed conflict,

Having considered the report of the Secretary-General of 26 March 2009 (S/2009/158) and *stressing* that the present resolution does not seek to make any legal determination as to whether situations which are referred to in the Secretary-General's report are or are not armed conflicts within the context of the Geneva Conventions and the Additional Protocols thereto, nor does it prejudge the legal status of the non-State parties involved in these situations,

Deeply concerned that children continue to account for a considerable number of casualties resulting from killing and maiming in armed conflicts including as a result of deliberate targeting, indiscriminate and excessive use of force, indiscriminate use of landmines, cluster munitions and other weapons and use of children as human shields and *equally deeply concerned* about the high incidence and appalling levels of brutality of rape and other forms of sexual violence committed against children, in the context of and associated with armed conflict including the use or commissioning of rape and other forms of sexual violence in some situations as a tactic of war,

1. *Strongly condemns* all violations of applicable international law involving the recruitment and use of children by parties to armed conflict as well as their re-recruitment, killing and maiming, rape and other sexual violence, abductions, attacks against schools or hospitals and denial of humanitarian access by parties to armed conflict and all other violations of international law committed against children in situations of armed conflict;

2. *Reaffirms* that the monitoring and reporting mechanism will continue to be implemented in situations listed in the annexes to the reports of the Secretary-General on children and armed conflict in line with the principles set out in paragraph 2 of its resolution 1612 (2005) and that its establishment and

implementation shall not prejudge or imply a decision by the Security Council as to whether or not to include a situation on its agenda;

3. *Recalls* paragraph 16 of its resolution 1379 (2001) and *requests* the Secretary-General also to include in the annexes to his reports on children and armed conflict those parties to armed conflict that engage, in contravention of applicable international law, in patterns of killing and maiming of children and/or rape and other sexual violence against children, in situations of armed conflict, bearing in mind all other violations and abuses against children, and notes that the present paragraph will apply to situations in accordance with the conditions set out in paragraph 16 of its resolution 1379 (2001);

4. *Invites* the Secretary-General through his Special Representative for Children and Armed Conflict to exchange appropriate information and maintain interaction from the earliest opportunity with the governments concerned regarding violations and abuses committed against children by parties which may be included in the annexes to his periodic report;

5. *While noting* that some parties to armed conflict have responded to its call upon them to prepare and implement concrete time-bound action plans to halt recruitment and use of children in violation of applicable international law;

(a) *Reiterates* its call on parties to armed conflict listed in the annexes of the Secretary-General's report on children and armed conflict that have not already done so to prepare and implement, without further delay, action plans to halt recruitment and use of children in violation of applicable international law;

(b) *Calls upon* those parties listed in the annexes of the Secretary-General's report on children and armed conflict that commit, in contravention of applicable international law, killing and maiming of children and/or rape and other sexual violence against children, in situations of armed conflict, to prepare concrete time-bound action plans to halt those violations and abuses;

(c) *Further calls* upon all parties listed in the annexes to the Secretary-General's report on children and armed conflict to address all other violations and abuses committed against children and undertake specific commitments and measures in this regard;

(d) *Urges* those parties listed in the annexes of the Secretary-General's report on children and armed conflict to implement the provisions contained in this paragraph in close cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the United Nations country-level task forces on monitoring and reporting;

6. In this context, *encourages* Member States to devise ways, in close consultations with the United Nations country-level task force on monitoring and reporting and United Nations country teams, to facilitate the development and implementation of time-bound action plans, and the review and monitoring by the United Nations country-level task force of obligations and commitments relating to the protection of children in armed conflict;

7. *Reiterates* its determination to ensure respect for its resolutions on children and armed conflict, and in this regard:

(a) *Welcomes* the sustained activity and recommendations of its Working Group on Children and Armed Conflict as called for in paragraph 8 of its resolution 1612 (2005), and invites it to continue reporting regularly to the Security Council;

(b) *Requests* enhanced communication between the Working Group and relevant Security Council Sanctions Committees, including through the exchange of pertinent information on violations and abuses committed against children in armed conflict;

(c) *Reaffirms* its intention to take action against persistent perpetrators in line with paragraph 9 of its resolution 1612 (2005);

8. *Stresses* the responsibility of the United Nations country-level task forces on monitoring and reporting and United Nations country teams, consistent with their respective mandates, to ensure effective follow-up to Security Council resolutions on children and armed conflict, to monitor and report progress to the Secretary-General in close cooperation with his Special Representative for Children and Armed Conflict and ensure a coordinated response to issues related to children and armed conflict;

9. *Requests* the Secretary-General to include more systematically in his reports on children and armed conflict specific information regarding the implementation of the Working Group recommendations;

10. *Reiterates* its request to the Secretary-General to ensure that, in all his reports on country-specific situations, the matter of children and armed conflict is included as a specific aspect of the report, and expresses its intention to give its full attention to the information provided therein, including the implementation of relevant Security Council resolutions and of the recommendations of its Working Group on Children and Armed Conflict, when dealing with those situations on its agenda;

11. *Welcomes* the efforts of the Department of Peacekeeping Operations in mainstreaming child protection into peacekeeping missions, in line with that Department's recently adopted Child Protection Policy directive, and encourages the deployment of Child Protection Advisers to peacekeeping operations, as well as into relevant peacebuilding and political missions, and decides to continue the inclusion of specific provisions for the protection of children in such mandates;

12. *Requests* Member States, United Nations peacekeeping, peacebuilding and political missions and United Nations country teams, within their respective mandates and in close cooperation with governments of the concerned countries, to establish appropriate strategies and coordination mechanisms for information exchange and cooperation on child protection concerns, in particular cross-border issues, bearing in mind relevant conclusions by the Security Council Working Group on Children and Armed Conflict and paragraph 2 (d) of its resolution 1612 (2005);

13. *Stresses* that effective disarmament, demobilization and reintegration programmes for children, building on best practices identified by UNICEF and other relevant child protection actors, are crucial for the well-being of all children who, in contravention of applicable international law, have been recruited or used by armed forces and groups, and are a critical factor for durable peace and security, and urges national Governments and donors to ensure that these community-based programmes receive timely, sustained and adequate resources and funding;

14. *Also stresses* the importance of timely, sustained and adequate resources and funding for effective welfare programmes for all children affected by armed conflict;

15. *Calls upon* Member States, United Nations entities, including the Peacebuilding Commission and other parties concerned to ensure that the protection, rights, well-being and empowerment of children affected by armed conflict are integrated into all peace processes and that post-conflict recovery and reconstruction planning, programmes and strategies prioritize issues concerning children affected by armed conflict;

16. *Calls upon* concerned Member States to take decisive and immediate action against persistent perpetrators of violations and abuses committed against children in situations of armed conflict, and further calls upon them to bring to justice those responsible for such violations that are prohibited under applicable international law, including with regard to recruitment and use of children, killing and maiming and rape and other sexual violence, through national justice systems, and where applicable, international justice mechanisms and mixed criminal courts and tribunals, with a view to ending impunity for those committing crimes against children;

17. *Requests* the Secretary-General to continue to take the necessary measures including, where applicable, to bring the monitoring and reporting mechanism to its full capacity, to allow for prompt advocacy and effective response to all violations and abuses committed against children and to ensure that information collected and communicated by the mechanism is accurate, objective, reliable and verifiable;

18. *Requests* the Secretary-General to provide administrative and substantive support for the Security Council Working Group on Children and Armed Conflict taking into consideration its current workload and the need to strengthen its capacities and institutional memory;

19. *Requests* the Secretary-General to submit a report by May 2010 on the implementation of its resolutions and presidential statements on children and armed conflict, including the present resolution, which would include, inter alia:

(a) Annexed lists of parties in situations of armed conflict on the agenda of the Security Council or in other situations of concern, in accordance with paragraph 3 of the present resolution;

(b) Information on measures undertaken by parties listed in the annexes to end all violations and abuses committed against children in armed conflict;

(c) Information of progress made in the implementation of the monitoring and reporting mechanism established in its resolution 1612 (2005);

(d) Information on the criteria and procedures used for listing and de-listing parties to armed conflict in the annexes to his periodic reports, bearing in mind the views expressed by all the members of the Working Group during informal briefings to be held before the end of 2009;

20. *Decides* to remain actively seized of this matter.

United Nations S/2009/400

Security Council

Distr.: General
4 August 2009
English
Original: Arabic

Letter dated 3 August from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

Further to our previous letters concerning the acts of aggression that Chad continues to carry out inside the Sudanese borders, I wish to inform you, and through you the members of the Security Council, that on 28 July 2009, Chadian troops crossed the border with 30 Merkeva tanks and four armoured cars, attacked the Sudanese village of Arwa and kidnapped Sudanese citizens.

While we are placing before the Council details of the repeated acts of military aggression carried out by neighbouring Chad, we emphasize that the Government of the Sudan reserves its full and legitimate right to respond to such attacks in a manner that will prevent any repetition thereof and preserve the national security of the country.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Hassan Hamid **Hassan**
Chargé d'affaires a.i.

09-44011 (E) 040809 040809

Please recycle

United Nations A/ES-10/459–S/2009/401

General Assembly
Security Council

Distr.: General
4 August 2009

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 3 August 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In deliberate and grave contravention of international law and United Nations resolutions, Israel, the occupying Power, continues to perpetrate illegal actions aimed at altering the demographic composition, character and status of the Occupied Palestinian Territory, especially in and around East Jerusalem. Israel continues this illegal and aggressive settlement campaign in blatant defiance of the international demands for Israel to comply with its legal obligations and to refrain from measures that could prejudge the outcome of final status negotiations.

In this regard, I must draw your attention to the occupying Power's latest eviction of Palestinian families from their homes in Occupied East Jerusalem. Yesterday, at 5 a.m. Palestine time and in the presence of dozens of peace activists and demonstrators, the occupying forces forcibly entered the homes of the Ghawi and Hanoun families and removed their belongings and expelled over 50 people, including 19 children, from their homes in the East Jerusalem neighbourhood of Sheikh Jarrah. The Ghawi and Hanoun families, who were in shock and attempted to resist the eviction, had lived in their homes for over 50 years. Moreover, following the eviction, witnesses saw vehicles bringing Israeli settlers and their belongings to occupy the Palestinian homes.

This constitutes only the latest attempt — and only one of the means — by the occupying Power to advance its settler colonization of East Jerusalem. Indeed, in addition to ongoing construction and expansion of settlements in and around the City as well as continuing home demolitions, revocation of residency permits, closure of Palestinian institutions and provocative excavations, the occupying Power has escalated its use of evictions to seize Palestinian homes and properties. In this regard, revealing the extent to which settler organizations have the official support of the Government, extremist settlers continue to take over and occupy homes from which Palestinian families have been unjustly and forcibly expelled.

09-44138 (E) 050809

Please recycle

The illegality of all such settlement activities in an occupied territory is directly addressed by the Fourth Geneva Convention, the Rome Statute of the International Criminal Court, and numerous Security Council, General Assembly, Economic and Social Council and Human Rights Council resolutions. The 9 July 2004 Advisory Opinion of the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, the fifth anniversary of which was recently commemorated, also reaffirmed the illegality of Israel's settlements in the Occupied Palestinian Territory as well as of the Wall, which is not only intricately related to the unlawful settlement campaign, but part and parcel of it, as established by the Court. Moreover, it must be recalled that under the Quartet road map, endorsed by the Security Council in its resolution 1515 (2003), Israel is called upon to freeze all settlement activities, including "natural growth", and to dismantle all settlement outposts established since 2001, neither of which the occupying Power has complied with and which, in fact, it continues to brazenly defy.

In this regard, the escalation of Israeli settlement activities, particularly in and around Occupied East Jerusalem, is not only fuelling already heightened tensions between the two sides, but also gravely threatening the prospects for realization of the two-State solution for peace. We thus urgently appeal to the international community, including the Security Council, to shoulder its responsibilities to bring an end to such destructive and illegal Israeli policies and measures and to salvage the prospects for peace.

The seriousness of this matter was apparent in the most recent Security Council meeting addressing the situation in the Occupied Palestinian Territory on 27 July 2009. During that meeting, the Council members and all States addressing the Council were unanimous in their call for an immediate and complete halt to all Israeli settlement activities as absolutely fundamental for the pursuit of peace based on the two-State solution on the basis of the pre-1967 borders.

That serious debate in the Security Council requires the urgent exertion of equally serious efforts at this critical juncture to pressure Israel, the occupying Power, to cease all violations of international law, including its construction of illegal settlements and the annexation Wall in the Occupied Palestinian Territory, which affect every single aspect of Palestinian life and are destroying not only the economy but the very social fabric and contiguity and integrity of the Palestinian Territory, including East Jerusalem, which constitutes the heart of that Territory. Indeed, if the international community wishes to ever see the Middle East as a region of peace, rather than a region of perpetual wars, turmoil, occupations and human rights violations, the occupation of Palestinian and other Arab territories must end.

This letter is in follow-up to our previous 341 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 July 2009 (A/ES-10/458-S/2009/338), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador, Permanent Observer
of Palestine to the United Nations

United Nations A/64/227–S/2009/402

General Assembly
Security Council

Distr.: General
4 August 2009
English
Original: French

General Assembly
Sixty-fourth session
Item 104 of the provisional agenda*
Crime prevention and criminal justice

Security Council
Sixty-fourth year

Letter dated 28 July 2009 from the Permanent Representative of Guinea to the United Nations addressed to the Secretary-General

Upon instructions from the Government of the Republic of Guinea, I have the honour to bring to your attention the following:

1. As part of the intense fight being waged by the Government of Guinea against drug cartels and their connection to national and international crime, during the period 14 to 25 July 2009, representatives of the Ministry in charge of special services and the fight against drugs and organized crime discovered in several sites in Conakry, the capital, significant quantities of toxic chemical products which had been illegally imported and transferred.

2. These chemical products were analyzed at the Quality Control Laboratory and were found to be extremely dangerous and to have a toxic effect on the health of the population near the storage sites. They are considered to be precursors used in the manufacture of explosives and narcotics (see annex).

3. The stockpiles of materials and chemical products and the pipes stored in various places are indicative, moreover, of a criminal intent to establish large-scale clandestine laboratories in Guinea for the manufacture and potential large-scale illegal distribution of drugs.

4. Since the Republic of Guinea has limited capacity and resources to combat drugs, it urgently appeals through the Secretary-General of the Organization to the international community, and in particular to the relevant United Nations programmes and bodies for the emergency implementation of effective support for Guinea in this critical phase of its peaceful and consensual evolution towards the holding of free and democratic legislative and presidential elections before the end of 2009.

5. The Guinean authorities are counting on the support of United Nations officials and bodies to counter drug trafficking and other criminal and terrorist activities, in order to rid Guinea of these chemical products, which are a continuing source of pollution and a threat to public health during the current rainy season.

* A/64/150.

09-44576 (E) 110809 110809

Please recycle

The Government of Guinea would be grateful if you could have the present letter and its annex circulated as a document of the General Assembly, under item 104 of the provisional agenda, and of the Security Council.

(*Signed*) Alpha Ibrahima **Sow**
Ambassador
Permanent Representative

Annex to the letter dated 28 July 2009 from the Permanent Representative of Guinea to the United Nations addressed to the Secretary-General

Analysis report
Ministry of Public Health and Hygiene — Republic of Guinea

National Public Health Institute — Labour-Justice-Solidarity

Department of Pharmaceutical Chemistry
(National Quality Control Laboratory)

Conakry, 20 July 2009

Technical Regulatory Analysis Report

In reference to seven samples of chemical products found on 15 July 2009 by the State Secretariat for Special Services and the Fight against Drugs and Organized Crime at two distribution sites near the sea in the GBessia Port and Yimbaya Port districts.

The samples were of the following chemical products:

1. Methyl ethyl ketone
2. Acetone
3. Ammonia 24.5 per cent
4. Hexane isomers
5. Sodium carbonate
6. Organic fertilizer
7. Methyl chloride

RESULTS

1. FINDINGS

1.1 Methyl/ethyl/ketone

Weight: 270 kg
Volume: 337.5 l (density d=0.80)
Date manufactured: No date
Expiration date: None
Country of origin: Abidjan/Côte d'Ivoire
Lot No: No number
Packaging: Metal casks
Label: skull and crossbones, the word "poison" and underneath:

IMCO. 6,1 UN 1593; AI/XI.8/250/07;
B/BLO-852003;
149N/13:04;

On the stopper the words "Please empty completely" followed by the instruction "protect nature" in German, English and French.

1.2 Acetone

Weight: 160 kg
Physical form: Liquid

Volume: 161,616 l (density d=0.99)
Date manufactured: 09/2008
Expiration date: None
Country of origin: Abidjan/Côte d'Ivoire
Lot No: 04026
Packaging: Metal casks
Label: "Flammable" and the following:

IMCO: 3 UNNR.1090
1.65
V8 11/0333/05/FE 40
UN1 AI/X/250/07

Polychimie Abidjan/Côte d'Ivoire

Printed on the stopper the words "Please empty completely", followed by the instruction "protect nature" in German, English and French.

1.3 Hexane isomers

Net weight: 137 kg
Physical form: Liquid
Volume: 207,57 l (density d=0.66)
Date manufactured: 09/2008
Expiration date: EXP N/A
Country of origin: Abidjan/Côte d'Ivoire
Lot No: 64041
Packaging: Metal casks
Label: "Flammable" and the following:
Polychimie Abidjan/Côte d'Ivoire

IMCO: 3 UN1208
UN1 A1/Y1.4/150/NL
JO: 08/RL 259
1A1/X1, 5/250/03

Printed on the stopper the words "Please empty completely", followed by the instruction "protect nature" in German, English and French.

1.4 Organic fertilizer

Net weight: 40 kg
Volume: Powder
Colour: Cement
Date manufactured: No date
Expiration date: None
Country of origin: Not specified
Lot No: No number
Packaging: Cream-coloured paper bearing the words "Compostion garantizada"

Nitrogen N	12 per cent
Phosphorous P2O5	9 per cent
Potassium K2O	20 per cent
Calcium Ca	10 per cent
Magnesium Mo	4 per cent

Iron Fo	0.9 per cent
Copper Co	2530 ppm
Manganese Mn	85 ppm
Zinc Zo	176 ppm

Peso al ampacar (weight at time of packing): 40 kg

220204.19A
SP@LAS
Tel 417222 LIC FAB No. 1643

1.5 Sodium carbonate

Net weight: 40 kg
Physical form: powder
Colour: snow white
Date manufactured: No date
Expiration: No date
Country of origin: Not specified
Lot No: None
Packaging: white paper bearing the following words: "irritant"

207-838-8
EC-LABEL
000 :31.24 :06 :08

1.6 Ammonia 24.5 per cent

Volume: 25 litres
Physical form: Fuming liquid, highly corrosive
Date manufactured: No date
Expiration date: None
Country of origin: Not specified
Lot No: No number
Packaging: black PVC drums
UN2672

1.7 Methyl chloride

Weight: 270 kg
Physical form: Liquid
Volume: 203,00 l (density 1.33)
Date manufactured: 09/2008
Expiration date: None
Country of origin: Abidjan/Côte d'Ivoire
Lot No: 64041
Packaging: Metal casks
Label: Skull and crossbones, the word "poison" and underneath
Polychimie S A Abidjan/Côte d'Ivoire
IMCO: 6.1 UN.1593

2. INTERPRETATION

At the request of the State Secretariat for Special Services and the Fight against Drugs and Organized Crime, acting on instructions from the Minister of Public Health and Hygiene, the National Quality Control Laboratory analysed the chemical products and made the following observations:

- The place where the products were stored and the conditions under which they were stored are not conducive to practical sampling (handling is dangerous);
- The covers of the casks containing methyl/ethyl/ketone, acetone, hexane isomers and methyl chloride all have a picture of a masked man wearing protective gear;
- Clearly printed on these same covers is the following warning: "Please empty container completely" followed by the instruction: "Protect nature" written in German, English and French;
- According to written instructions, when these products are manufactured industrially, the entire system is sealed off so as to ensure that the workers have no contact with the products — this is to ensure their safety;
- On the casks, the most important markings, following the name of the chemical, are the following:

  1. Skull and crossbones, followed by the word "poison"
  2. Flammable
  3. Please empty completely
  4. Protect nature (in German, English and French)
  5. Sodium carbonate is followed by the warning "irritant", "resembles cooking salt" with all the consequences that this may have when it falls into the hands of the population;

- Ammonia 24.5 per cent is fuming, corrosive, toxic and dangerous;
- Organic fertilizer contains various elements and its packaging resembles cement.

Nitrogen N 12 per cent, phosphorous P2O5 9 per cent, Potassium K2O 20 per cent, Calcium Ca 10 per c

Magnesium Mo 4 per cent, Iron Fo .9 per cent, Copper Co 2530 ppm, Manganese Mn 85 ppm, Zinc Zo 176 ppm.

All these dangerous products are synthesized in order to make other laboratory products in accordance with the regulations.

They can also be used to make explosives; since hexane isomers, acetone, methyl/ethyl/ketone, methyl chloride and ammonia are powerful organic solvents used both for extraction and for purification of such things as essential oils, the fact that they were found together suggests that the plan was to manufacture drugs. They are also called precursors in the manufacture of drugs in the context of clandestine laboratories. Moreover, the second storage place (Yimbaya port) is an operating clandestine laboratory; the fact that an arsenal of materials and chemical products were found on this site testifies to this. Moreover, the fact that pipes were being stored in a shop at Gbessia port suggests that there were plans to set up clandestine laboratories on a large scale.

3. CONCLUSION

The chemicals analysed by the National Quality Control Laboratory at the request of the State Secretariat for Special Services and the Fight against Drugs and Organized

Crime, acting on instructions from the Minister of Public Health and Hygiene, are dangerous products, which have a highly toxic effect on the health of the population near the storage sites; the fact that they were all found in strange places, suggests that the major international drug manufacturing and trafficking and explosives manufacturing cartels have networks in the area.

Their presence in these populated areas poses a major threat to the health of the inhabitants; the latter may be exposed to fumes which may lead to chronic poisoning (incurable cancers ...).

These chemicals are precursors in the manufacture of drugs and explosives by clandestine laboratories. This poses a real threat for the entire country (drug addiction, organized crime and terrorism) and should be taken seriously.

(*Signed*) Dr. Thierno Fatoumata Oury **Diallo**
Director of the Laboratory

United Nations S/2009/403

Security Council

Distr.: General
5 August 2009

Original: English

Letter dated 31 July 2009 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to article 12 bis, paragraph 2, of the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994, which reads:

> In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 12 of the present Statute, for the remainder of the term of office concerned.

In this connection, I wish to inform you that Judge Sergei Alekseevich Egorov (Russian Federation) has resigned.

The Government of the Russian Federation has nominated Professor Bakhtiyar Tuzmukhamedov to replace Judge Egorov. The curriculum vitae of Professor Bakhtiyar Tuzmukhamedov is attached (see annex).*

It is my view that Professor Tuzmukhamedov meets the qualifications that are prescribed in article 12 of the statute of the International Tribunal.

I should also recall that, in resolution 1878 (2009) adopted on 7 July 2009, the Security Council decided that, notwithstanding article 11, paragraph 2, of the statute of the International Tribunal, and on an exceptional basis, Judge Egorov, once replaced as a member of the International Tribunal, should complete the cases which he began before his resignation.

In accordance with article 12 bis, paragraph 2, of the statute of the International Tribunal, I look forward to receiving your views on the appointment of Professor Tuzmukhamedov as a permanent judge of the International Tribunal.

(*Signed*) **Ban** Ki-moon

* The annex is being circulated in the language of submission only.

09-44271 (E) 060809

Please recycle

Annex

Bakhtiyar Tuzmukhamedov (Russian Federation)

Born 30 March 1955

Professional career

1992-current. Counsellor of the Court, Constitutional Court of the Russian Federation. *Previous positions held at the Constitutional Court*: Senior Adviser, Head of Section, Counsellor of the Department of International Law, acting Head of the Department of International Law (on leave for the duration of graduate studies at Harvard Law School and for the duration of the United Nations field mission assignment)

1984-current. Professor of International Law, Diplomatic Academy, Moscow (part-time since 1992). *Previous positions held at the Diplomatic Academy*: Research Fellow, Senior Research Fellow, Associate Professor of International Law

1977-1984. Research Fellow, Law of the Sea Division, Institute of Merchant Marine (on leave for the duration of post-graduate studies)

Education

1993-1994. LL.M. candidate, Harvard Law School

1979-1982. Study and research for the degree of Candidate of Juridical Science, Moscow Institute of International Relations

1972-1977. Basic legal education, Moscow Institute of International Relations

Membership in professional associations

Vice-President of the Russian Association of International Law

Expert Board, PIR-Center (security and non-proliferation research)

International Law Association, formerly co-rapporteur of the ILA Committee on Arms Control and Disarmament Law (Committee mandate completed)

International Consortium — Forum on Challenges of Peace Operations

Other related activities

Deputy Editor-in-Chief, Moscow Journal of International Law

Member of the Editorial Board, International Review of the Red Cross

Member of the Advisory Board, International Law in Domestic Courts

Adviser, United Nations Special Committee on Peacekeeping Operations (2009)

Member of the group of government and academic experts for the International Committee of the Red Cross study of customary norms of international humanitarian law (study published in 2005)

Civil Affairs Officer, United Nations Protection Force (UNPROFOR)/United Nations Peace Forces (UNPF) in the former Yugoslavia (1994/95)

Member of the United Nations Institute for Disarmament Research study group on maritime confidence-building (study published in 1993)

Adviser, United Nations Ad Hoc Committee on the Indian Ocean (1987)

Recent publications in English

Scattered Reflections on the International Law in the Russian Legal Landscape, in *Regards d'une génération de juristes sur le droit international*, Paris, 2008, pp. 413-429.

The End of Contractual Disarmament? *Peace in Liberty Festschrift für Michel Bothe zum 70. Geburtstag*, Baden-Baden, Nomos Verlag, 2008, pp. 333-338.

Preemption of Trans-boundary Terrorist Threats: The Russian Perspective. *International Law Studies*, vol. 83, Newport, RI, 2007, pp. 83-95.

Keeping Pace with the Times? *Austrian Review of International and European Law*, vol. 8 (2003), 2005, pp. 205-209.

The ICC and Russian Constitutional Problems. *Journal of International Criminal Justice*, No. 3, 2005, pp. 621-626.

Maintaining the ABM Treaty regime by multiple actors: Options for the post-USSR space. *Crisis Management and Humanitarian Protection. Festschrift für Dieter Fleck*, Berliner Wissenschafts-Verlag GmbH, 2004, pp. 593-610.

The implementation of international humanitarian law in the Russian Federation. *International Review of the Red Cross*, vol. 85, No. 850, 2003, pp. 385-396.

Russian Federation: the Pendulum of Powers and Accountability, in *Democratic Accountability and the Use of Force in International Law*, Cambridge University Press, 2002, pp. 257-279.

The Legal Dimension of Peace Operations, in *Challenges of Peace Operations: Into the 21st Century*, Ulanders Gotab (Stockholm), 2002, pp. 61-74.

The Role of the Russian Constitutional Court in Protecting the Rights of Active Duty and Retired Servicemen. *The Air Force Law Review*, vol. 52, 2002, pp. 81-92.

Russian Forces in the Commonwealth of Independent States. *The Handbook of the Law of Visiting Forces*, Oxford University Press, 2001, pp. 417-441.

The Legal Framework of CIS Peace Operations. *International Peacekeeping*, vol. 6, No. 1, 2000, pp. 1-6.

United Nations S/2009/404

Security Council

Distr.: General
5 August 2009

Original: English

Letter dated 4 August 2009 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 31 July 2009 (S/2009/403) concerning the composition of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 has been brought to the attention of the members of the Security Council. The members of the Council support your intention to appoint Professor Bakhtiyar Tuzmukhamedov as a permanent judge of the International Tribunal.

(*Signed*) John **Sawers**
President of the Security Council

09-44277 (E) 060809

Please recycle

United Nations S/2009/405

Security Council

Distr.: General
5 August 2009

Original: English

Letter dated 4 August 2009 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council

It is my pleasure to enclose for your attention a copy of the letter that the Acting President of the National Committee for Missing Persons and Prisoners of War Affairs, Dr. Ibrahim Majed Al-Shaheen, addressed to Dr. Tarek Najem Abdullah, Chief of Staff of H.E. the Prime Minister of the Republic of Iraq on 21 July 2009, regarding the issue of the remains of Kuwaiti prisoners and missing persons (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Abdullah **Al-Murad**
Ambassador
Permanent Representative

09-44330 (E) 060809 070809

Please recycle

Annex to the letter dated 4 August 2009 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council

[Original: Arabic]

National Committee for Missing Persons and Prisoner of War Affairs

No. 9/RL/2009

Date: 21 July 2009

Sir,

I had the pleasure to receive your letter dated 15 July 2009. We are honoured to correspond with our brothers in Iraq and value the good faith that exists between us. With regard to the question of prisoners of war and missing Kuwaiti nationals, we hope that that humanitarian issue will be resolved and end the suffering that those prisoners' families have been undergoing for some 20 years. While we appreciate the Prime Minister's efforts, we also understand the prisoners' families' insistence that action should urgently be taken in the field in order to locate mass graves. The perpetrators of those despicable crimes intentionally covered their traces, and Iraqi eyewitnesses are the only source of information on the location of such graves. After so many years, it is absolutely imperative to obtain that information from those witnesses while it is possible. As members of the Tripartite Commission and its Technical Subcommittee, Iraq and Kuwait must coordinate their efforts with the International Committee of the Red Cross and other Commission members. We must also mention the commendable efforts being made by Ambassador Gennady Tarasov. As we prepare to take part in the meeting of the Technical Committee scheduled for 4 August 2009, we are hopeful that real progress will be made towards identifying the sites of mass graves.

Allow me to express my personal gratitude to His Excellency the Prime Minister, to you, and to all our brothers at the Ministry of Human Rights, and my wishes for your continued good health and for the security, stability and peace of the Republic of Iraq.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Ibrahim Majid **Shahin**
Acting President

Mr. Tariq Najm Abdullah
Director, Office of the Prime Minister, Republic of Iraq

United Nations S/2009/406

Security Council

Distr. General
6 August 2009

Original: English

United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular 1500 (2003) of 14 August 2003, 1546 (2004) of 8 June 2004, 1557 (2004) of 12 August 2004, 1619 (2005) of 11 August 2005, 1700 (2006) of 10 August 2006, 1770 (2007) of 10 August 2007, and 1830 (2008) of 7 August 2008,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Emphasizing the importance of the stability and security of Iraq for the people of Iraq, the region, and the international community,

Commending the important efforts made by the Government of Iraq to strengthen democracy and the rule of law, to improve security and public order and to combat terrorism and sectarian violence across the country, and *reiterating* its support to the people and the Government of Iraq in their efforts to build a secure, stable, federal, united and democratic nation, based on the rule of law and respect for human rights,

Welcoming improvements in the security situation in Iraq achieved through concerted political and security efforts and *stressing* that challenges to security in Iraq still exist and that improvements need to be sustained through meaningful political dialogue and national unity,

Underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, to refrain from making statements and actions which could aggravate tensions, to reach a comprehensive solution on the distribution of resources, and develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity,

Reaffirming the importance of the United Nations, in particular the United Nations Assistance Mission for Iraq (UNAMI), in advising, supporting and assisting the Iraqi people and Government to strengthen democratic institutions, advance inclusive political dialogue and national reconciliation, facilitate regional dialogue, aid vulnerable groups including refugees and internally displaced persons, strengthen gender equality, promote the protection of human rights, and promote judicial and legal reform, and *emphasizing* the importance of the United Nations, in

Please recycle

particular UNAMI, prioritizing advice, support, and assistance to the Iraqi people and Government to achieve these goals,

Emphasizing UNAMI's efforts to assist the Independent High Electoral Commission and the Iraqi Government in the development of processes for holding successful Iraqi provincial elections in January 2009 and Kurdistan Regional Government elections in July 2009, and towards Iraqi national parliamentary elections in January 2010, and *stressing* the importance of the transparency, impartiality and independence of the Independent High Electoral Commission,

Expressing concern for human rights challenges in Iraq, *stressing* the importance of addressing those challenges and in this regard *urging* the Government of Iraq to consider additional steps to support the Independent High Commission for Human Rights,

Expressing concern also for the humanitarian issues confronting the Iraqi people and *stressing* the need to continue a coordinated response and to provide adequate resources to address these issues,

Underscoring the sovereignty of the Government of Iraq, *reaffirming* that all parties should continue to take all feasible steps and develop modalities to ensure the protection of affected civilians, including children, women and members of religious and ethnic minority groups, and should create conditions conducive to the voluntary, safe, dignified, and sustainable return of refugees and internally displaced persons, *welcoming* commitments of the Government of Iraq for the relief of internally displaced persons, *encouraging* continued efforts for internally displaced persons and refugees, and *noting* the important role of the Office of the United Nations High Commissioner for Refugees, based on its mandate, in providing advice and support to the Government of Iraq, in coordination with UNAMI,

Stressing the importance of implementing Security Council resolution 1882 (2009), including through the appointment of child protection advisers in UNAMI, as appropriate,

Urging all those concerned, as set forth in international humanitarian law, including the Geneva Conventions and the Hague Regulations, to allow full unimpeded access by humanitarian personnel to all people in need of assistance, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security, and freedom of movement of humanitarian personnel and United Nations and its associated personnel and their assets,

Thanking former SRSG Staffan de Mistura for his service and strong leadership of UNAMI,

Welcoming the Secretary-General's appointment of Ad Melkert on 7 July 2009, as the new Special Representative for Iraq,

Expressing deep gratitude to all the UN staff in Iraq for their courageous and tireless efforts,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq (UNAMI) for a period of twelve months from the date of this resolution;

2. *Decides further* that the Special Representative of the Secretary-General and UNAMI, at the request of the Government of Iraq, and taking into account the letter of 29 July 2009 from the Minister of Foreign Affairs of Iraq to the Secretary-

General (S/2009/ 395, annex), shall continue to pursue their expanded mandate as stipulated in resolutions 1770 (2007) and 1830 (2008);

3. *Recognizes* that security of UN personnel is essential for UNAMI to carry out its work for the benefit of the people of Iraq and calls upon the Government of Iraq and other Member States to continue to provide security and logistical support to the UN presence in Iraq;

4. *Welcomes* the contributions of Member States in providing UNAMI with the financial, logistical, and security resources and support that it needs to fulfil its mission and calls upon Member States to continue to provide UNAMI with these resources and support;

5. *Expresses* its intention to review the mandate of UNAMI in twelve months or sooner, if requested by the Government of Iraq;

6. *Requests* the Secretary-General to report to the Council on a quarterly basis on the progress made towards the fulfilment of all UNAMI's responsibilities; and

7. *Decides* to remain seized of the matter.

United Nations S/2009/407

Security Council

Distr.: General
7 August 2009

Original: English

Letter dated 6 August 2009 from the Secretary-General addressed to the President of the Security Council

Further to my latest report to the Security Council concerning the implementation of resolution 1701 (2006) (S/2009/330), I hereby request the Security Council to consider the renewal of the mandate of the United Nations Interim Force in Lebanon (UNIFIL), which is due to expire on 31 August 2009. In a letter dated 4 July 2009 addressed to me, the Prime Minister of Lebanon requested that the Security Council extend the mandate of UNIFIL for a further period of one year, without amendment.

UNIFIL continues to play a crucial role in ensuring peace and stability in southern Lebanon, as well as full respect for the Blue Line. Sporadic incidents and violations are promptly addressed through the liaison and coordination arrangements of UNIFIL with the parties. The Tripartite meetings remain the central mechanism in this regard. Under the terms of its mandate, UNIFIL continues to take all necessary action within its capabilities to ensure that the area between the Blue Line and the Litani River is not utilized for hostile activities. The mission has provided a strong deterrent to the resumption of hostilities and has laid a foundation on which the process towards achieving a permanent ceasefire can and must be built. Until such time as the cessation of hostilities is solidified by a permanent ceasefire, the present calm in southern Lebanon will remain precarious.

Cooperation between UNIFIL and the Lebanese Armed Forces is a cornerstone of the UNIFIL mandate, as outlined in resolution 1701 (2006) and reiterated in resolution 1832 (2008). UNIFIL continues to assist the Lebanese Armed Forces in their efforts to ensure that the area between the Blue Line and the Litani River is free of any unauthorized armed personnel, assets and weapons. Since the issuance of my last report on the implementation of resolution 1701 (2006), a serious breach of this provision was discovered on 14 July 2009, as was reported to the Security Council in closed consultations on 23 July by the Under-Secretary-General for Peacekeeping Operations.

In the early morning of 14 July 2009, a series of explosions occurred near Khirbat Silim, north-east of Tibnin in Sector West of the area of operations of UNIFIL. Preliminary findings of the investigation, conducted by UNIFIL in coordination with the Lebanese Armed Forces, indicate that the explosions were caused by the deflagration of ammunition present in the building, in which a large quantity of weapons and ammunition was stored. So far, there is no evidence to suggest that the weapons and ammunition present in the building had been smuggled

Please recycle

into the UNIFIL area of operations since the adoption of resolution 1701 (2006). The investigation is pending finalization. There are a number of indications that suggest that the depot was under the control of Hizbullah, and that, in contrast to weapons and ammunition previously discovered by UNIFIL and the Lebanese Armed Forces, it was not abandoned but rather actively maintained. Some of the individuals present on 15 July at the site of the explosions were identified to UNIFIL as belonging to Hizbullah.

This presence of unauthorized assets or weapons between the Blue Line and the Litani River constitutes a clear violation of Security Council resolution 1701 (2006). The incident highlights the importance of intensifying the efforts of the Lebanese Armed Forces, assisted by UNIFIL, to discover and remove weapons and related materiel that may still be present in the area of operations; make sure that there are no armed elements in the area; and prevent the possible smuggling of weapons across the Litani River.

In the aftermath of the explosions, on 15 and 18 July 2009, civilians attempted to obstruct the freedom of movement of UNIFIL. Stone-throwing on 18 July resulted in injury to UNIFIL peacekeepers. I am concerned about the attempts to obstruct the freedom of movement of UNIFIL. The Lebanese authorities must ensure full freedom of movement for UNIFIL within its area of operations.

The Council was also briefed on another incident, in which approximately 30 civilians approached the Blue Line, and several members of the group walked across it on 17 July 2009 near United Nations position 4-31, in the vicinity of Kafr Shouba (Sector West). The civilians were protesting against construction works by the Israel Defense Forces just south of the Blue Line, in the Shab'a farms area.

I note that, notwithstanding substantial progress on the implementation of some elements of resolution 1701 (2006), more work remains to be done. The Lebanese authorities have the primary responsibility to ensure that there are no unauthorized armed personnel, assets or weapons in the area between the Blue Line and the Litani River. UNIFIL assists the Lebanese Armed Forces in this endeavour.

The Israel Defense Forces continue their occupation of part of the village of Ghajar, and an adjacent area north of the Blue Line, in violation of resolution 1701 (2006). Israel must withdraw the Israel Defense Forces from the area. Israel also must cease its air violations, which contribute to tension and continue unabated. In addition, ground violations of the Blue Line should stop; inadvertent crossings can be reduced by accelerating progress on visibly marking the Blue Line.

The United Nations Mine Action Coordination Centre continues to play an important role in coordinating the clearance of landmines, cluster munitions and other explosive remnants of war in the UNIFIL area of operations, which allows for the implementation of resolution 1701 (2006). The Coordination Centre will continue to support the Lebanese Mine Action Centre.

The total number of UNIFIL military personnel as at 15 July 2009 stands at 12,000. That number includes 11,000 UNIFIL ground troops deployed in two sectors, and 700 personnel serving in the Maritime Task Force, in addition to 208 staff officers at UNIFIL headquarters, 59 staff officers at UNIFIL sector headquarters and 17 national support elements. The UNIFIL civilian component numbers 318 international and 666 national staff.

With regard to recent and forthcoming changes to the troop configuration of UNIFIL, Malaysia deployed one additional infantry company of 150 personnel at the end of July 2009. Indonesia and Nepal are each scheduled to deploy one infantry company of 150 personnel over the next two months. These manoeuvre unit reinforcements are in response to the need identified in my report of 3 March 2009 (S/2009/119). In addition, a new multirole logistics company will be deployed to replace Polish troops due to withdraw by October 2009.

During the past year, the Maritime Task Force of UNIFIL has witnessed a gradual decrease in the number of available assets. This trend recently reached its lowest level, only 7 of the 12 vessels identified in the force requirements being available. Since June, the significantly reduced number of assets, and especially the lack of frigates, has meant that the Maritime Task Force is stretched to the limits in carrying out its dual mandate of maritime interdiction operations and training of the Lebanese navy.

The Secretariat has called on 27 Member States to contribute to the Maritime Task Force since December 2008. The contribution of a corvette by Indonesia marks the only new maritime contributor. Many of the old maritime contributors have been helpful in bridging the gaps, and Belgium and Italy have assumed the leadership of the Maritime Task Force for three-month periods, respectively, since EUROMARFOR ended its one-year term on 28 February 2009. As for the next operational phase, beginning on 1 September 2009, Germany has once again agreed to assume the leadership, this time for a three-month period.

Three years have passed since the adoption of resolution 1701 (2006). My reports on the implementation of that resolution reflect the fact that conditions on the ground have significantly improved since the deployment of the expanded UNIFIL and that much has been achieved. Nevertheless, much remains to be done. As a matter of course, the UNIFIL Force Commander and Head of Mission continuously assesses whether the Force's assets and resources are configured most appropriately to fulfil its mandated tasks, and makes the necessary adjustments accordingly. Taking the developments over the past three years into account, it is timely to take stock of the operational capacity of UNIFIL and conduct a more comprehensive review. Hence, in an effort to ensure continued operational effectiveness and in keeping with peacekeeping good practice, an assessment of the force structure, assets and requirements of UNIFIL will be conducted during the coming months by the Department of Peacekeeping Operations and UNIFIL, with an emphasis on capabilities. This review will include a comprehensive evaluation of the Maritime Task Force. The troop-contributing countries will be kept informed throughout the process.

I would reiterate that it remains essential that the international community assist the Lebanese Armed Forces to become a more effective military organization, resourced to fulfil their many responsibilities, including down to the Blue Line. The long-term objective of UNIFIL is to gradually transfer responsibilities currently carried out by the Force, on land and at sea, to the Lebanese Armed Forces, and have the Lebanese Armed Forces assume effective security control over the UNIFIL area of operations and Lebanese territorial waters, in line with resolution 1701 (2006).

I am grateful to the 31 troop-contributing countries that make up UNIFIL for their ongoing commitment. That commitment, coupled with the development of a

strong peacekeeping partnership with the Lebanese Armed Forces, has made possible the successful implementation of several key aspects of resolution 1701 (2006). However, as the UNIFIL mandate approaches its expiration date, it is clear that challenges remain.

I would also like to express my strong appreciation to the UNIFIL Force Commander and Head of Mission, Major General Graziano, and to all the military and civilian personnel of UNIFIL, for the excellent work they are carrying out in southern Lebanon in the service of peace.

Regarding the financial aspects of UNIFIL, by its resolution 63/298, the General Assembly appropriated to the Special Account for UNIFIL the total amount of US $589.7 million gross for the maintenance of the Force for the period from 1 July 2009 to 30 June 2010. Should the Security Council decide to extend the mandate of UNIFIL beyond 31 August 2009, the cost of maintaining it will be limited to the amounts approved by the General Assembly.

As at 31 May 2009, unpaid assessed contributions to the UNIFIL Special Account amounted to $86.1 million. At present, money owed to the Member States that contribute the troops who make up UNIFIL totals $13.4 million. Reimbursements of troop and contingent-owned equipment costs have been made for the periods up to 31 May 2009 and 31 March 2009, respectively, in accordance with the quarterly payment schedule. I appeal to all Member States to pay their assessments promptly and in full to clear all remaining arrears.

With the above information in mind, I recommend that the Council extend the mandate of UNIFIL for a further period of 12 months, until 31 August 2010.

I should be grateful if you would bring this letter to the attention of the members of the Council.

(*Signed*) **Ban** Ki-moon

United Nations S/2009/408

Security Council

Distr.: General
7 August 2009
English
Original: French

Letter dated 6 August 2009 addressed to the President of the Security Council from the Permanent Representative of Chad to the United Nations

On instructions from my Government, I should like to denounce and refute the allegations made by the Sudan to the effect that Chad aircraft made several overflights of and carried out airstrikes on Sudanese territory on 18 and 19 May and 6, 11 and 27 June 2009.

I should also like to denounce and refute the allegations made by the Sudan to the effect that on 28 July 2009 Chadian troops crossed the border, attacking the Sudanese village of Arwa and kidnapping Sudanese civilians. Those crude and totally unfounded allegations are mere pretexts for further attacks by the Sudan against Chad. In the face of any new aggression from the Sudan, Chad reserves its inalienable right to legitimate self-defence.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Ahmad **Allam-mi**
Ambassador, Permanent Representative

09-44924 (E) 070809

Please recycle

United Nations A/63/936–S/2009/409

General Assembly
Security Council

Distr.: General
7 August 2009

Original: English

General Assembly
Sixty-third session
Agenda item 13
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-fourth year

Identical letters dated 5 August 2009 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit the statement of the Parliament of Georgia on the illegal entry of the President of the Russian Federation, Mr. Dimitri Medvedev, into the Georgian territory occupied by Russia (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Alexander **Lomaia**
Permanent Representative

09-44994 (E) 100809

Please recycle

Annex to the identical letters dated 5 August 2009 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Parliament of Georgia on the illegal entry of the President of the Russian Federation, Dimitri Medvedev, into the Georgian territory occupied by Russia

16 July 2009

1. The Parliament of Georgia condemns the entry of the President of the Russian Federation, Dimitri Medvedev, into the Georgian territory occupied by Russia as an illegal crossing of the Georgian state border, a step towards final annexation of the occupied Georgian territories and an attempt at legitimization of ethnic cleansing carried out by the Russian Federation.

2. The Parliament of Georgia condemns the blocking of extension of the United Nations and OSCE missions in Georgia by the Russian Federation, which is part of the policy of minimizing international presence in the occupied territories and allowing implementation of aggressive intentions of the Russian Federation.

3. Deployment of the Russian Federal Security Service Border Forces on the so-called borders of the occupied Georgian territories is an attempt at legalizing the de facto "border" established through military occupation infringing basic norms of international law.

4. The Parliament of Georgia condemns the conduct of aggressive, large-scale military exercises in close vicinity of Georgian borders in the summer of 2009, similar to the period preceding the 2008 aggression, as directly threatening the sovereignty and territorial integrity of Georgia.

5. The Parliament of Georgia notes that an attempt by the Russian Federation to annex Georgian territory through military occupation and ethnic cleansing represents a threat not only to the sovereignty of Georgia but to that of the region and Europe at large.

6. The above-mentioned acts are in breach of fundamental norms of international law as well as the Russian Federation commitments, including the declarations of the Budapest (1994), Lisbon (1996) and Istanbul (1999) summits of the OSCE Heads of State and resolutions of Heads of Government of the CIS; United Nations Security Council resolutions 849 (1993), 854 (1993), 858 (1993), 876 (1993), 881 (1993), 892 (1993), 896 (1994), 901 (1994), 906 (1994), 934 (1994), 937 (1994), 971 (1995), 993 (1995), 1036 (1996), 1065 (1996), 1096 (1997), 1124 (1997), 1150 (1998), 1187 (1998), 1225 (1999), 1255 (1999), 1287 (2000), 1311 (2000), 1339 (2001), 1364 (2001), 1393 (2002), 1427 (2002), 1462 (2003), 1494 (2003), 1524 (2004), 1554 (2004), 1582 (2005), 1615 (2005), 1656 (2006), 1666 (2006), 1716 (2006), 1752 (2007), 1781 (2007) and 1808 (2008); United Nations General Assembly resolution 62/249 of 15 May 2008 and other resolutions; the Charter of the United Nations; the Helsinki Final Act of 1975; Russia-European Union agreements; resolutions 1633 and 1647 of the Parliamentary Assembly of the Council of Europe.

7. The Parliament of Georgia calls upon the international community to:

7.1 Give adequate legal assessment to the illegal entry of the President of the Russian Federation to the occupied Georgian territory;

7.2 Demand that the Russian Federation carry out de-occupation of the occupied territories;

7.3 Demand that the Russian Federation fully implement the European Union-brokered Ceasefire Agreement;

7.4 Demand that the Russian Federation reverse results of ethnic cleansing;

7.5 Start work towards the deployment of an international policing force on the Georgian territory occupied by the Russian Federation;

7.6 Demand that the Russian Federation grant access to the European Union monitors on the occupied territories;

7.7 Demand that the Russian Federation withdraw recognition of the occupied Georgian territories;

7.8 Demand that the Russian Federation refrain from actions threatening the sovereignty and territorial integrity of Georgia or other neighbouring countries of the Russian Federation.

United Nations S/2009/410

Security Council

Distr.: General
7 August 2009

Original: English

Letter dated 7 August 2009 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the letter dated 27 July 2009 from your predecessor concurring with my proposal to appoint Mr. Guy Delvoie, Mr. Howard Morrison and Sir Burton Hall as permanent judges of the International Tribunal for the Former Yugoslavia (S/2009/387).

I have received a corresponding letter from the President of the General Assembly. Accordingly, I have appointed Mr. Delvoie, Mr. Morrison and Sir Burton as permanent judges of the International Tribunal for the Former Yugoslavia, effective 1 September 2009, 31 August 2009 and 7 August 2009, respectively, until 31 December 2010, or until the completion of the cases to which they will be assigned if sooner.

(*Signed*) **Ban** Ki-moon

09-45053 (E) 100809

Please recycle

United Nations S/2009/411

Security Council

Distr.: General
10 August 2009

Original: English

Nineteenth progress report of the Secretary-General on the United Nations Mission in Liberia

I. Introduction

1. By its resolution 1836 (2008), the Security Council extended the mandate of the United Nations Mission in Liberia (UNMIL) until 30 September 2009, and requested me to report on progress made in achieving the core benchmarks set out in my reports of 8 August 2007 (S/2007/479) and 19 March 2008 (S/2008/183) and make recommendations on any further adjustments to the Mission's military and police components, as the situation permits and without compromising the security of Liberia. The requested recommendations were presented in my special report on UNMIL (S/2009/299), dated 10 June 2009. The present report therefore focuses on major developments in Liberia since my progress report of 10 February 2009 (S/2009/86), and also contains the findings and recommendations of the electoral needs assessment mission that visited Liberia in May.

II. Major developments

A. Political developments

2. During the reporting period, political activity in Liberia was dominated by events related to the work of the Truth and Reconciliation Commission. After holding regional consultations throughout the country, the Commission convened a national reconciliation conference in June, bringing together some 500 delegates from all 15 counties and the Liberian diaspora. On 30 June the Commission concluded its mandate and submitted to the legislature and the President an unedited consolidated final report.

3. In its report, the Truth and Reconciliation Commission outlines the root causes of the Liberian conflict, expresses the view that all factions committed egregious violations of domestic and international criminal law, international human rights law and international humanitarian law, and sets forth a wide range of recommendations on accountability, reparations, and amnesty, as well as legal, institutional and other reforms. The Commission's recommendations include the establishment of an extraordinary criminal tribunal to prosecute those identified as having committed gross violations of human rights and economic crimes. Eight leaders of the warring factions, including the former President, Charles Taylor, as well as a list of

Please recycle

98 individuals identified as "most notorious perpetrators" are among those recommended for prosecution. Thirty-six persons have been identified as being responsible for war crimes and crimes against humanity, but are not recommended for prosecution because they spoke truthfully before the Commission and expressed remorse. The Commission's report also includes a "non-exhaustive" list of 50 individuals identified as financiers or supporters of the warring factions who the Commission recommends be subject to public sanctions, including being barred from public office for a period of 30 years. That list includes the President, Ellen Johnson-Sirleaf, among other political figures and serving members of the Government.

4. Reactions to the Commission's report have so far been mixed. Two Commissioners issued dissenting reports, expressing their view that the recommendations of the Commission would not further national reconciliation. Six of the former faction leaders recommended for prosecution gave a joint press conference in Monrovia, during which they strongly rejected the recommendations, saying they contravened the immunity signed into law by then-President Taylor in 2003, as well as the letter and spirit of the Comprehensive Peace Agreement of 2003. Civil society groups have been active in the public debate surrounding the Commission's recommendations. The Liberian Council of Churches has been discussing the report with a range of stakeholders, including the Commissioners, leaders of the warring factions, and some individuals recommended for public sanctions. Nearly 60 civil society organizations have issued a joint statement welcoming the report, while condemning threats made to some Commissioners. The International Contact Group on Liberia also released a statement similarly condemning the threats and urging the Government to establish the Independent National Commission on Human Rights, which is mandated to oversee implementation of the recommendations of the Truth and Reconciliation Commission.

5. With respect to the way forward, the Truth and Reconciliation Commission Act of 2005 requires that all of the Commission's recommendations be implemented, and the President is expected to report on the status of implementation to the legislature on a quarterly basis. Although the report does not require legislative approval, certain legislation may be needed to implement the recommendations. A special committee established by the House of Representatives presented the results of its deliberations on the report to the plenary on 21 July and proposed that the legislature should hold nationwide consultations on the issue. On 27 July, while speaking on the occasion of Liberia's 162nd year of independence, President Johnson-Sirleaf assured the Liberian people that she would be committed to working with all stakeholders to implement the Commission's recommendations, where the report lives up to its mandate and mission.

6. The Government has also taken other national reconciliation initiatives, including measures to address the contentious issue of land reform. The President endorsed the recommendations of a special commission established to mediate persistent land disputes in Nimba County. The role of traditional chiefs in the reconciliation process as Liberia's unifying strength was underlined in July, with the official opening of a new headquarters in Monrovia for the National Traditional Council of Liberia.

7. In the meantime, the start of Mr. Taylor's defence in July in The Hague, where he is on trial in connection with war crimes perpetrated in Sierra Leone, is being followed in Liberia. Of particular interest is his testimony regarding the role that various public officials played during the Liberian civil war.

8. In keeping with her focus on enhancing the performance of the Government in delivering on the poverty reduction strategy, and to emphasize accountability and efficiency, President Johnson-Sirleaf made major Cabinet changes during the period under review. In April, the President relieved from their posts or redeployed the Ministers of agriculture, labour, public works and transport. In June, further changes were made to several ministries, State-owned enterprises and political subdivisions. The changes particularly targeted the justice and security sectors, which had delivered poor implementation rates under the poverty reduction strategy, with the appointment of a new Minister of Justice, Minister of National Security and Solicitor-General, as well as new directors for the Liberia National Police, the National Bureau of Investigation and the Special Security Services.

9. A new Senate President pro tempore was elected on 26 March, ending a leadership dispute that had seriously hampered the work of the legislature in 2008. The legislature has since approved a number of concession agreements and large-scale commercial contracts, and adopted important legislation, including amendments to the 2005 Act establishing the Independent National Commission on Human Rights and the Act establishing the Lands Commission to mediate land disputes. Also, following joint public hearings, the legislature adopted the $371.9 million national budget for fiscal year 2009/10 in record time. Owing to limited institutional capacity, significant bills are still pending, but the fact that both legislative houses adopted amended standing rules and validated a draft strategic plan for strengthening the legislature is a positive development.

10. The political landscape in Liberia further evolved during the period: the ruling Unity Party and the opposition Liberia Action Party and Liberia Unification Party signed articles of merger. Alliances have also been formed between opposition parties, including an agreement to create a broad-based coalition involving the Congress for Democratic Change, the Liberia National Union and the National Patriotic Party to contest the 2011 elections. However, political party structures remained organizationally weak and centred, to a large extent, on political personalities rather than detailed political programmes.

11. The Under-Secretary-General for Peacekeeping Operations visited Liberia from 14 to 17 June, to consult with national and international stakeholders and take stock of UNMIL operations. His meetings with all interlocutors, including President Johnson-Sirleaf and members of the Liberian security sector, confirmed the findings of the technical assessment mission, contained in my special report of 10 June, particularly the fragility of the prevailing peace, the need to expedite the development of the country's security institutions and the rule of law sector, and the importance of enhanced political dialogue and reconciliation.

B. Security situation

12. The security situation remained generally stable, although still fragile, during the period under review. Law and order incidents, including rape and armed robbery,

were prevalent. Communal and mob violence also continued, often emanating from tensions between ethnic groups and communities over land disputes.

13. Tensions were also witnessed between members of the Liberian armed and security forces in Monrovia; Armed Forces of Liberia soldiers assaulted Liberia National Police officers in three separate incidents in February, April and May. Aggravated by the drastic drop in rubber prices, the situation at some plantations remained tenuous, including at Guthrie Rubber Plantation, where 200 employees protesting against the non-payment of their salaries took a Bomi County senator hostage and burned down a local police station in March. The National Police Support Unit, with UNMIL support, intervened to restore order.

14. Relatively minor disputes continued to escalate rapidly into major destabilizing events. On 14 June, widespread violence broke out in Harper, Maryland County, in the south-east, triggered by allegations of a ritual killing. The incident quickly deteriorated into a riot involving more than 2,000 people, who ransacked the local police station and seriously damaged the prison, allowing the escape of 34 prisoners. Liberia National Police officers were stoned by the crowd and national corrections officers were doused in gasoline and nearly killed. It took the combined efforts of UNMIL military and formed police unit personnel, national police officers and local authorities to contain the situation.

15. UNMIL continued to monitor security challenges related to ex-combatants, whose residual organizational capacity and command structures, although so far mainly utilized for economic activities, are often contributing factors in the escalation of security incidents. In July, President Johnson-Sirleaf officially closed the national disarmament, demobilization, rehabilitation and reintegration programme, which had successfully disarmed and demobilized more than 101,000 ex-combatants, and provided reintegration assistance to more than 90,000 former combatants since 2003. However, high unemployment, particularly among young people, continues to be a security risk. The Mission also continued to monitor trafficking of drugs and light weapons. Recent seizures have indicated that the production of marijuana in Liberia exceeds domestic consumption, and cross-border networks have been established which could be utilized for trafficking and other illegal economic activities.

C. Economic situation

16. The Government continued to implement its poverty reduction strategy "Lift Liberia", convening a Cabinet-level retreat in April to assess progress on deliverables and finding that, notwithstanding the progress made, implementation had been slow because of a lack of resources and capacity. In June, the Minister of Planning and Economic Affairs publicly announced that the Government had attained only 20 of the 107 Year One deliverables of the strategy. This figure is misleading, however, as some Year Two deliverables have already been achieved. Another Cabinet-level retreat is planned for mid-August, to create an action plan to fast-track overdue and at-risk deliverables across all sectors.

17. At the macro level, the Liberian economy is expected to grow nearly 5 per cent in 2009, down from 7.1 per cent in 2008, in large part owing to the negative impact of the global economic crisis on international demand for commodities and lower capital inflows. Decreasing food and fuel prices contributed to a significant decline

in inflation, which dropped to 7 per cent in May, from its peak of 27 per cent in August 2008. Nominal gross domestic product was estimated at $871 million, or $221 per capita in 2008. Measured against the modest national budget of $298 million for fiscal year 2008/09, national revenue collection rose nearly 25 per cent last year.

18. Liberia has undertaken a number of economic reform initiatives, and the second programme review completed by the Executive Board of the International Monetary Fund in May found that the country remains on track. While gains have been made in improving external competitiveness, significant structural bottlenecks remain, however, including capacity constraints, inadequate infrastructure, and delays in obtaining legislative approval of public financial management reforms. The urgency of the Government's creating a transparent and predictable investment climate, including through effective enforcement of its anti-corruption measures, is heightened by the continuing decline in foreign direct investment and remittances.

19. In an effort to lessen the impact of the global economic downturn, and to mitigate the high unemployment rate that severely affects the availability of livelihood opportunities for ex-combatants and other high-risk youth, UNMIL, together with the World Bank, the United Nations Development Programme (UNDP) and the World Food Programme, continued to use labour-intensive road repairs to create short-term employment and promote stability in high security risk areas, including near unstable rubber plantations and border areas. From January to June, nearly 13,000 jobs were created, women representing approximately 25 per cent of the workforce.

D. Humanitarian situation

20. In lieu of a 2009 humanitarian appeal, in March the Liberia country team of the Inter-Agency Standing Committee issued an advocacy paper, highlighting health, water and sanitation, food security, nutrition, education and protection as key areas with residual humanitarian challenges that require immediate action in line with the poverty reduction strategy. Contingency planning for potential cross-border movements from Côte d'Ivoire or Guinea, led by the Office of the United Nations High Commissioner for Refugees (UNHCR), continued. The World Health Organization, the United Nations Children's Fund and the United Nations Population Fund continued support for the Government's efforts to reduce the high maternal mortality rate, including by rehabilitating and equipping damaged infrastructures, and training staff.

21. The voluntary refugee repatriation exercise, which resumed in April 2008 for the purpose of repatriating Liberian refugees based in Ghana, ended in March 2009 with 10,344 refugees having been assisted to return from the subregion. Since the end of the civil war, a total of 122,810 Liberian refugees have been assisted to return and 45,954 refugees returned to Liberia spontaneously. However, as many as 65,000 Liberian refugees remain in West Africa.

E. Regional situation

22. On 11 July, the ruling military authority in Guinea, the Conseil national pour la démocratie et le développement, announced that armed forces financed by drug

traffickers had gathered in the border areas of Guinea-Bissau, Liberia and Senegal to attack Guinea in retaliation for recent action taken by Guinean authorities against high-profile persons associated with international drug cartels. In response, Liberia asserted that the country's territory would never again be used to launch an attack on its neighbours. Following reports that the Guinean army had been placed on high alert along the border, UNMIL and Liberian security officials conducted investigations that did not reveal any evidence of illegal armed elements. Regular joint patrols involving UNMIL, together with Liberian and Guinean security forces, confirmed that the situation along the Guinea-Liberia border remained calm.

23. Drug trafficking poses a serious threat to the stability of the subregion and could undermine the gains made in building security and rule of law institutions in Liberia, Côte d'Ivoire and Sierra Leone, as well as the peace consolidation efforts in those countries. Following consultations with police-contributing countries and the leadership of UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI), I intend to temporarily redeploy one police adviser from each mission to the United Nations Office for West Africa in Dakar, for an initial period of three months, to support the implementation of the action plan to combat illicit drug trafficking and transnational organized crime of the Economic Community of West African States (ECOWAS). Meanwhile, on 27 May, Liberia ratified the ECOWAS convention on small arms and light weapons.

24. UNMIL, UNOCI and UNDP conducted a joint field mission to western Côte d'Ivoire in April, which found that many of the estimated 1,500 to 2,000 Liberian combatants associated with the Ivorian militias are involved in illegal exploitation of natural resources with elements of the Ivorian militias. Some of the former Liberian combatants have been assimilated to the extent of presenting themselves as Ivorian nationals. UNMIL continued to closely monitor the borders, and conducted joint operations involving Liberian, Guinean and Sierra Leonean security agencies and UNOCI.

III. Implementation of the mandate of the United Nations Mission in Liberia

A. Security sector reform

National security strategy and architecture

25. Since my special report on UNMIL was issued on 10 June, there have been further developments in reforming the national security strategy and architecture. In keeping with the national security strategy implementation matrix outlining priority deliverables to be achieved by 2011, strategic plans are being developed by the Bureau of Immigration and Naturalization and the Bureau of Customs and Excise, with UNMIL support. The Ministry of Defence completed and has initiated consultations on its draft national defence strategy, while the development of a gender policy for the Ministry has begun, in accordance with Security Council resolution 1820 (2008) on women and peace and security. However, delays in enacting the Liberia Security Reform and Intelligence bill, submitted in 2007, continued to hamper security and intelligence coordination. Significant progress was, however, made in developing a new county security mechanism, which will extend security coordination to the counties.

26. The Government also made efforts to meet the operational requirements of the rule of law and security sectors, increasing their budgetary allocation by nearly 25 per cent over the previous fiscal year. The budgets of the Armed Forces of Liberia and the Liberia National Police have been increased by nearly a third in the national budget for 2009/10.

Armed Forces of Liberia

27. Development of the new 2,000-strong Armed Forces of Liberia continued to make progress. The first battalion started the United States Army Training and Evaluation Programme, which it will complete in September, while the second battalion will complete the programme in December. At that time, the United States contractors currently training and equipping the force will hand over to the Ministry of Defence, which will assume responsibility for training and standing up the new army. The United States has indicated that it plans to assign as many as 60 United States serving military personnel to continue mentoring the Armed Forces of Liberia, beginning in January 2010.

28. UNMIL started a process with the Ministry of Defence and the Armed Forces of Liberia for its training and mentoring of the new army, which will be delivered in two phases. The first phase began in July and provides for UNMIL military familiarization and support to training exercises until December. Starting in January 2010, the second phase will involve more structured training and mentoring, in line with the national defence strategy and doctrine. Under the leadership of a steering group comprising representatives of the Armed Forces of Liberia, the Ministry of Defence, the United States Embassy in Monrovia and UNMIL, regular working groups are held. However, the transition from undertaking joint planning and operational activities with international partners to being fully independently operational is a challenge for the armed forces, which are not expected to reach this level before 2012. A major issue of concern, which President Johnson-Sirleaf has expressed determination to address, is the gender imbalance in the new Armed Forces of Liberia. As at 1 August, only 58 of the 2,000-strong army are women.

Liberia National Police

29. Senior national police officers presented 18 priority projects in support of the Liberia National Police's strategic plan to the donor community in Monrovia on 23 June. These projects, which have a combined cost of approximately $20 million for all programming over a three-year period, provide the framework for a coordinated effort by UNMIL, the Government of Liberia, and bilateral partners to address the challenges impeding the achievement of the national police's full operational capability. Key areas requiring assistance from Liberia's bilateral partners include police infrastructure, equipment and logistics. The Government also requires budgetary support for the police, as well as guaranteed commitments for recurrent costs, including equipment maintenance and fuel. UNDP has set up a trust fund to manage contributions in support of implementation of the plan. In September, the United Nations will facilitate the presentation of the strategic plan by the Liberia National Police to Liberia's partners in New York.

30. In the meantime, pending formal pledges of assistance, the Liberia National Police continued to face serious constraints to its operational effectiveness, although capacity-building activities have made some progress. Several policies and

procedures, including standard operating procedures for police stations and a policy on professional standards, are being finalized. Significant progress was also made in the implementation of a promotion policy that provides for selecting senior officers on the basis of competitive testing and other set criteria.

31. Recent improvements have also been noted in the capacity of the Liberia National Police to investigate and resolve reported violent crimes in Monrovia, and to investigate complaints of police misconduct. There is, however, still resistance to pursuing criminal cases involving persons of stature or allegations of police misconduct involving senior officers, presumably for fear of retribution.

32. The armed units of the Liberia National Police showed a marked improvement in weapons handling, and there was a decline in the number of reported incidents of questionable discharge of weapons by Emergency Response Unit and Police Support Unit personnel. The fourth class of the Emergency Response Unit began training in May, and recruitment and screening for the fifth class is under way. The unit currently has 207 fully trained personnel, out of its planned strength of 500 officers, while construction of its headquarters in Monrovia is under way.

33. The development of police infrastructure in the counties also made some progress, with the handover of five newly constructed or rehabilitated police stations. Forty additional infrastructure projects are in progress. The Liberia National Police, supported by UNMIL police advisers, are also setting up a system for distributing equipment currently in its inventories, including radios, crime investigation kits, office equipment and supplies.

34. The Bureau of Immigration and Naturalization is receiving increased focus, and a strategic plan to provide a framework for the Bureau's further development is being finalized. The agency's operations are hindered, however, by inadequate infrastructure and communications equipment. Moreover, it has limited trained personnel, weak standard operating procedures, and command and control is extremely weak. In June, the Government of Liberia signed bilateral arrangements for the training of 150 immigration officers in Ghana, which will begin in September.

B. Strengthening judicial, legal and corrections institutions

35. Substantial challenges remain across the legal, judicial and corrections sectors, owing to the lack of capacity, infrastructure and equipment. Strategic plans for addressing these issues have been finalized for the Ministry of Justice and the judiciary, and implementation has begun in some areas. Serious internal problems have stalled development initiatives for the judiciary, however, raising concerns. Insufficient budgetary allocations result in operational limitations and an almost complete dependence on donor funding.

36. The Judicial Training Institute is in the process of developing a training curriculum, and courses are expected to begin by the end of the year, while a privately funded scholarship programme at the Arthur Grimes Law School has increased the total number of public defenders to 18, sufficient to provide at least one for each county. Meanwhile, the Government established a sexual and gender-based violence unit combining investigative and prosecutorial response with victim support. The special sexual and gender-based violence crimes court established in

2008 has overcome a number of its early operational difficulties, and successfully completed its first trial in July 2009.

37. As the judiciary lacks the capacity to dispose of cases in a timely manner, the backlog in the criminal justice system is increasing. The recent spate of mass jailbreaks from Liberia's prisons has increased Government focus on the corrections sector, including the need to address security limitations at prison facilities. Although the five-year strategic plan of the Bureau of Corrections and Rehabilitation has not yet been validated, rehabilitation efforts have started with the launch of a pilot agricultural project at the Zwedru facility. The mobile court project at the Monrovia Central Prison also continued, and has reviewed 1,470 cases since being launched in February, resulting in the release of 472 detainees. The project has helped to stabilize the prison population at the facility, which had typically hovered at around 1,000 inmates. A project has also been initiated at the Monrovia facility to review long-term detentions involving more serious crimes. At the same time, recruitment of national corrections officers has been frozen because of budgetary constraints, and there remain only 171 trained corrections personnel out of the 500 planned for the entire country.

38. Liberian authorities also lack the capacity to adequately secure the prisons, requiring UNMIL to deploy elements of its formed police units at the facilities in Monrovia and Zwedru. Donor funding will be required to develop national capacity to secure the prisons, including through the Police Support Unit in the medium term.

C. Human rights

39. The human rights situation in Liberia continued to improve, although the weakness of rule of law institutions, economic insecurity, and limited access to social services continued to pose serious challenges for the effective protection of human rights. The Government has initiated the development of a national human rights action plan, and established a steering committee, chaired by the Ministry of Justice, to oversee the process. The committee is also expected to play a key role in ensuring that Liberia meets its international treaty reporting obligations. The Independent National Commission on Human Rights has not yet been constituted, though the act establishing it was signed in 2005 and amended in 2009. In addition to following up the implementation of the recommendations of the Truth and Reconciliation Commission, the Commission on Human Rights is expected to serve as an independent institutional focus for reconciliation efforts, as well as a mechanism for the Liberian public to vindicate their rights.

40. Although the provision has not been implemented since 1979, the Liberian penal code still prescribes the death penalty for a number of crimes, despite international pressure for its abolition on the grounds that it constitutes a breach of Liberia's obligations under the Second Optional Protocol to the International Covenant on Civil and Political Rights. The recommendations of the Truth and Reconciliation Commission raise further concerns in that regard, as proposals include prosecuting certain crimes committed during the conflict in domestic courts. The most notorious perpetrators recommended for prosecution in an extraordinary criminal tribunal would not face the death penalty, however, as the extraordinary criminal tribunal would be an internationalized domestic court and therefore apply international standards.

D. Consolidation of State authority throughout the country

41. Notwithstanding the increased deployment of ministry representatives, effective extension of State authority beyond Monrovia remained limited, because of absenteeism of public officials and a lack of logistical support. Measures were however taken to address some of these problems, including programmes to reward attendance and performance. Progress was also made in recruiting trained officials, including through the Senior Executive Service programme, established to attract qualified Liberians into the public service, which attained its recruitment target of 100 well-trained professionals deployed to 22 Government ministries and agencies and all 15 counties. A draft national policy on decentralization and local governance is also under development.

42. The Government continued its efforts to improve access to remote areas of the country, signing in May an agreement with the African Development Bank for a 120-kilometre road linking River Gee and Maryland counties in the south-east of the country. The World Bank-managed reconstruction trust fund also continued to receive contributions for infrastructure projects countrywide. Planned expenditure for the infrastructure development was a major element of the national budget for 2009/10, the Ministry of Public Works receiving nearly 10 per cent of the total budget, or some $40 million, including a $20 million commitment for road rehabilitation.

E. Management of natural resources

43. The Kimberley Process conducted a review in June, to follow up on the recommendations it made in 2008. Three permanent regional offices of the Government Diamond Office to support diamond registration and certification have been included in the budget of the Ministry of Lands, Mines and Energy for 2009/10. There are, however, still no plans to establish an office in Sinoe County, where illegal mining has been reported. In July, the President signed into law the Liberia Extractive Industries Transparency Initiative, which will focus on monitoring revenues from mining, forestry, oil extraction and rubber production. Liberia is the first country to include forestry and rubber production in the mandate of its Extractive Industries Transparency Initiative.

44. The legislature approved the first three forestry management contracts, which will allow large-scale logging operations to begin. The Forestry Development Agency oversaw the bid opening for four additional contracts, which are being considered by the bid evaluation panel. The Government of Liberia also initiated formal negotiations with the European Commission on a voluntary partnership agreement on forest law enforcement, governance and trade. Although legislation concerning community rights to forest land and resources is stalled, the Forestry Development Agency issued regulations on commercial and sustainable extraction of non-timber forest products, forest product processing and marketing, and environmental impact assessment, and initiated vetting on the comprehensive wildlife conservation and protected area management law.

45. Government-initiated measures to regulate the rubber market and mitigate the illegal exploitation of rubber continued. A Malaysian corporation signed a concession agreement, approved by the legislature in July, to invest $800 million for

the production of palm oil and rubber at the Guthrie Rubber Plantation. While the investment is expected to create some 20,000 jobs over the next 10 years, the immediate transition period could raise security concerns as it is not yet clear if the company will rehire all existing employees.

F. Governance

46. On 11 June, the President issued Executive Order No. 20, establishing a Law Reform Commission expected to undertake reform and development of Liberia's laws, ensure harmony and consistency within the law and propose a law reform direction and framework for the nation. Meanwhile, the Constitutional Review Task Force established in January has not yet been constituted.

47. The Government continued to face serious constraints in furthering its anti-corruption agenda, despite some progress made in strengthening oversight mechanisms. The Liberian public widely considered the failure of the Government to obtain convictions in high-profile corruption cases against the former Chairman of the National Transitional Government of Liberia, Charles Gyude Bryant, and the former Speaker of the House of Representatives, Edwin Snowe, as a setback for its anti-corruption efforts.

48. The operational capacity of the Liberia Anti-Corruption Commission continued to improve, and it has started investigations into two major corruption cases. The absence of supporting legislation, including a public service code of conduct, continued to hamper the Commission's effectiveness, however. Meanwhile, the General Auditing Commission publicly released 15 audit reports, and several more reports are in the final stages of internal review. The reports to be released in the coming weeks include audits covering the ministries of lands, mines and energy, finance, education, health and public works, which are required as triggers for reaching the heavily indebted poor country completion point. The Commission is also planning to establish an internal unit to monitor the Government's responsiveness to audit recommendations.

49. The Governance and Economic Management Assistance Programme will formally end on 30 September. Thereafter, the co-signature arrangements for the USAID-funded advisers at Roberts International Airport, the National Port Authority, the Liberia Petroleum Refining Company and the Ministry of Finance Department of the Budget will cease. The International Monetary Fund and the World Bank will fund the retention of advisers with co-signature authority at the Ministry of Finance and the Central Bank of Liberia.

50. Out of $15.8 million allocated to Liberia under windows II and III of the Peacebuilding Fund, $15.2 million has been approved for 21 projects, including reconciliation initiatives and strengthening national capacity for peace consolidation. The newly established Peacebuilding Office in Monrovia assists the joint steering committee in monitoring quarterly updates from United Nations recipient agencies. It is still too early to assess impact, as many of the projects were initiated in recent months. However, three fast-tracked projects were positively evaluated in 2008, including interim support to prosecution services in remote areas of the country, as well as reconciliation efforts in Nimba County.

IV. Cross-cutting issues within the Mission

A. Public information

51. UNMIL continued to work closely with United Nations agencies and Government ministries on their key communications challenges. The Mission focused on advocating behavioural change among young people in Liberia, with joint campaigns on sexual and gender-based violence. Messages also focused on the poverty reduction strategy and the rule of law. As the Liberian print and electronic media have limited capacity, the United Nations communications group and the Ministry of Information worked to improve the quality and capacity of the country's journalists.

B. HIV/AIDS

52. UNMIL continued to conduct awareness training in HIV/AIDS and sexually transmitted infections for its personnel, and also provided condoms, voluntary confidential counselling, testing services and post-exposure prophylaxis kits. Through the United Nations HIV/AIDS theme group, UNMIL supported the Government in establishing a secretariat for the National AIDS Commission.

C. Gender

53. The Mission continued to provide technical advisory support to the Government on Security Council resolutions 1325 (2000) and 1820 (2008) on women and peace and security, and assisted the Government to prepare its defence of its first report on the Convention on the Elimination of All Forms of Discrimination against Women in July. The Government's strategy for the implementation of the national action plan for Security Council resolution 1325 (2000) is now in place. While several gender-sensitive policy frameworks have been established, application in the design and delivery of programmes, and therefore their ability to positively affect women and girls, remains a serious challenge, particularly in rural areas. UNMIL also continued to sensitize and develop the capacity of its personnel, the Government of Liberia and civil society with regard to issues of gender, sexual and gender-based violence, and sexual exploitation and abuse.

D. Personnel conduct and discipline

54. Through training and awareness campaigns, UNMIL continued to implement strategies to prevent, identify, report and effectively respond to all categories of misconduct committed by United Nations personnel, priority being given to ensuring full compliance with my zero tolerance policy regarding sexual exploitation and abuse. During the reporting period, 13 serious misconduct cases were reported, including nine allegations of sexual exploitation and abuse. A total of 122 minor misconduct cases involving UNMIL staff were also reported, including petty theft infractions involving fuel, computers, radios and building materials.

Investigations were conducted into all reported cases of misconduct, and disciplinary measures have been taken where appropriate.

E. Security and safety of United Nations personnel

55. Crime continued to pose the greatest security threat to United Nations personnel and property, especially in Monrovia. A significant increase in incidents of armed robbery, involving both bladed weapons and firearms, was reported during the period under review, including 20 incidents specifically targeting United Nations personnel. One UNMIL national staff member and four military personnel died because of illness during the reporting period, while two UNMIL soldiers were killed in traffic accidents.

V. Mission deployment

Military component

56. As indicated in my special report, following the end of the second stage of drawdown in March 2009, the authorized military strength of UNMIL currently stands at 10,231 personnel, including 9,981 troops in Liberia and the 250-strong military guard force deployed at the Special Court for Sierra Leone in Freetown. UNMIL has consolidated the realignment of its military sectors from four to two, dividing UNMIL force deployment in Liberia diagonally along existing boundaries and natural transport corridors. This realignment has streamlined the command and control structure. The UNMIL force continues to consolidate, shifting to a more flexible posture, removing static checkpoints and reducing point security posts where operationally and logistically feasible.

Police component

57. As at 4 August, the UNMIL police strength stood at 1,344 personnel out of an authorized ceiling of 1,375, including 465 police advisers, 843 officers in seven formed police units, 23 corrections officers and 13 immigration officers. In accordance with Security Council resolution 1836 (2008) authorizing an increase in the Mission's police component, a formed police unit from India arrived in Liberia in August and was deployed to Grand Gedeh County.

VI. Electoral needs assessment mission

58. The Liberian National Elections Commission, in a letter dated 10 February, requested the United Nations to deploy a needs assessment mission to Liberia for the purpose of evaluating the needs of the Commission in preparing for, and conducting, voter registration in 2009, ahead of the general presidential and legislative elections in October 2011. Accordingly, the Under-Secretary-General for Political Affairs, in his capacity as the United Nations focal point for electoral assistance activities, deployed a needs assessment mission to Liberia from 18 to 27 May.

59. The needs assessment mission, which liaised closely with UNDP and UNMIL, consulted with a broad cross-section of Liberian and international stakeholders,

including the National Elections Commission, legislators, representatives of political parties and civil society, and members of the donor and diplomatic community. The purpose of the mission was to clarify the timeline of the electoral process, assess the political environment and evaluate the legal framework for the elections in order to develop recommendations on the electoral assistance the United Nations should provide. The mission based its recommendations on the requirements for sustaining national capacity to conduct electoral operations, including local elections, after the withdrawal of UNMIL from Liberia.

A. Findings of the assessment mission

60. The discussions of the needs assessment mission with a wide range of stakeholders indicated that considerable attention is already being focused on the 2011 elections. The high degree of interest has generated some tensions, including among political parties and between parties and the National Elections Commission. Although the Commission had organized and conducted by-elections that were commended by political stakeholders, some opposition parties have criticized the Commission for implementing its oversight role by intervening in internal leadership issues of political parties. While some initiatives are in place to improve the relationship between the Commission and political parties, there is a widespread view that regular dialogue should be strengthened. Meanwhile, some opposition parties have claimed that the ruling party lacks a genuine commitment to dialogue. The needs assessment mission also found that these tensions are emerging in the context of an evolving political environment, characterized by political party mergers, disputed leadership changes and a decrease in the number of parties in the country, from 30 in 2005 to 17 at present.

61. The needs assessment mission found that underlying tensions, including issues related to national reconciliation and access to resources, are likely to emerge during the electoral period. Some of these issues are already arising, since the release of the report of the Truth and Reconciliation Commission. In that regard, the National Elections Commission is likely to be tested when conducting a by-election to replace the junior senator from Montserrado County, who passed away on 3 August. The mission's interlocutors had stressed, in particular, that there is a higher likelihood of elections being disputed if underlying political and social concerns are not properly addressed. Progress in achieving socio-economic development in the next two years would also contribute significantly to an improved environment for the conduct of elections.

62. The elections of 2005 had been held in accordance with the Comprehensive Peace Agreement signed in Accra in 2003, which temporarily suspended some constitutional provisions relating to election to public office. The 2011 elections, however, are expected to be held in accordance with the 1986 Constitution of Liberia unless amendments are adopted during the current legislative session. Early clarity on the electoral legal framework is needed to avoid delays in election preparations, including boundary delimitation and voter registration. Protracted debates have delayed adoption of the Threshold Bill, which is essential for the National Elections Commission to delineate electoral constituencies. Some progress was made in July, when the Senate agreed to set the population threshold for legislative constituencies at 40,000. Yet the additional condition that no county should have fewer than two representatives is opposed by some stakeholders who

question the constitutionality of that proposal, and are concerned about the additional cost of adding as many as 24 seats in the House of Representatives. The issue is being examined by the Legislature and is preventing the bill from being enacted.

63. Liberia's Constitution requires an absolute majority to win elections at presidential, legislative and local levels. If that is not amended for the legislative elections, the National Elections Commission may have to conduct as many as 100 run-off elections no later than one month after the first round of the 2011 general elections, placing an unprecedented operational burden on the Commission. All political parties supported amending that provision to allow a simple majority to decide legislative elections, reducing the logistical challenge for the Commission and lowering campaign costs for political parties. If the legislature agrees to proposed constitutional amendments, the National Elections Commission will be required to conduct a national referendum no sooner than one year from the date of the legislature's decision in order for the changes to be binding for the 2011 elections. While this would present additional operational challenges for the Commission in the short term, simplifying the legal framework would have long-term benefits for the country's electoral calendar.

64. There are also many technical challenges to be addressed, as international assistance will be less extensive than in the 2005 elections. Several electoral events will need to be conducted within an extremely tight time frame. At the same time, the voting population may increase by up to 45 per cent. The new threshold, if adopted with the proposed minimum of two seats per county, could also lead to an increase of as many as 1,300 new polling locations across the country.

B. Recommendations of the assessment mission

65. In view of the anticipated emergence of political and social tensions that could impede the conduct of elections, the needs assessment mission recommended that all Liberian stakeholders, supported by the United Nations and other international partners, should redouble efforts to facilitate constructive dialogue, while also establishing mechanisms for early warning and dispute resolution. This dialogue should help the National Elections Commission and political parties to reach an agreed approach regarding the rules and organization of the elections. The mission further recommended that the Inter-Party Consultative Committee, which provides a forum for dialogue and engaging political parties, should receive additional support to strengthen its effectiveness.

66. Given the primary responsibility of Liberian institutions for organizing and conducting the 2011 elections, and in order to ensure the sustainability of national capacity to conduct electoral operations, the needs assessment mission determined that building local capacities should be the primary focus of international electoral assistance. In that regard, national logistical capacities should be maximized. An assessment of Liberia's operational capacities revealed that storage facilities are missing and nationally owned transportation is limited to 200 military trucks, private taxis and porters. On the basis of the mission's assessment, UNDP deployed an electoral logistics expert to Liberia in July, to conduct a thorough review of national capacities and logistical requirements, as well as the capacity of UNMIL to fill the remaining logistics gaps. On the basis of that review, it is recommended that

UNMIL should provide logistical support for the elections to cover gaps in national capacities.

67. While the conduct of free and fair, conflict-free elections has been added to the list of the Mission's core drawdown benchmarks, UNMIL is not mandated to provide electoral assistance. In that regard, the needs assessment mission recommended that the UNMIL mandate be revised to include certain election-related tasks in support of national institutions, including logistical support, particularly to facilitate access to remote counties, and coordination of all international electoral assistance to ensure harmonization and prevent duplication of efforts. The assessment mission also recommended that UNMIL should support Liberian institutions and political parties in creating an environment conducive to the conduct of peaceful elections.

68. The needs assessment mission also made specific recommendations for medium- and long-term capacity-building in operations and planning, boundary delimitation, voter registration and results management, civic and voter education, logistics and procurement, as well as advice in legal affairs and external relations. On the basis of those recommendations, UNDP is developing a multisector electoral assistance project. Liberian institutions will require considerable financial and technical assistance from the international community in planning, organizing, conducting and securing the electoral process. USAID has separately allocated $14.5 million over five years for building sustainable elections management, which includes support to the National Elections Commission, voter registration for local elections, printing of ballots and support for political parties.

VII. Financial aspects

69. The General Assembly, by its resolution 63/296, appropriated the amount of $560.9 million, equivalent to some $46.7 million per month, for the maintenance of UNMIL for the period from 1 July 2009 to 30 June 2010. Should the Security Council decide to extend the mandate of UNMIL beyond 30 September 2009, the cost of maintaining the Mission until 30 June 2010 would be limited to the amounts approved by the General Assembly.

70. As at 30 June 2009, unpaid assessed contributions to the Special Account for UNMIL amounted to $68.4 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,580.9 million.

71. Reimbursement of troop- and police-contributing Governments for troops and formed police unit costs has been made for the period up to 28 February 2009. As at 30 June 2009, amounts owed to troop and police contributors totalled $45.4 million.

VIII. Observations

72. Liberia continues to make significant progress in consolidating its peace and stability. The gains achieved so far remain fragile, however, particularly in the areas of building the security and rule of law institutions and creating employment opportunities. As underlined by the Harper riot in June, civil disorder continues to pose a serious challenge for Liberia's stability, exposing the capacity deficits of national institutions. It is critically important that the Government of Liberia make

every effort to develop national security and rule of law institutions that are fully independently operational.

73. Liberia has reached a critical moment with the release of the report of the Truth and Reconciliation Commission, which provides an important opportunity for the people of Liberia to move the national reconciliation agenda forward and engage in a constructive national dialogue on the root causes of the Liberian conflict. The Liberian people should be afforded the full opportunity to consider the Commission's recommendations and determine for themselves how best to implement those recommendations. I am encouraged by the proactive role faith-based organizations and other civil society actors are playing in fostering a broad-based discussion on the report of the Commission. At the same time, I am concerned by recent threats made against some Truth Commissioners, and call on the Government of Liberia to take appropriate action against anyone found engaging in incendiary acts that could undermine the peace. The Government of Liberia should also expedite its efforts to constitute the Independent National Commission on Human Rights.

74. I commend the Government of Liberia for taking steps to address some of the challenges identified in my special report, including by appointing new leadership for the Liberia National Police and increasing its operational budget. Bilateral partners should do their part to address the shortcomings in developing the police, by supporting priorities set out in the national police's strategic plan. I urge the donor community to attend the Liberia National Police's presentation of these priorities in New York in September, and contribute generously to the implementation of the plan. At the same time, effective security sector reform will require a holistic approach, and commensurate attention is required for strengthening other rule of law institutions, including corrections and the judiciary. The Government will also require continued assistance in sustaining the new Armed Forces of Liberia, once responsibility for further development of the armed forces is handed over in December.

75. While the Government of Liberia made some encouraging progress on the achievement of its poverty reduction strategy deliverables, weak institutional capacity remains a serious constraint at both national and local levels. I am, however, encouraged that a stronger mechanism for monitoring the implementation of the poverty reduction strategy has been put in place under the Liberia Reconstruction and Development Committee, and that the improved working relationship between the legislative and executive branches has allowed for the adoption of key legislation related to the poverty reduction strategy. Notwithstanding the important efforts made at the national level, the global economic downturn has had a negative impact on Liberia's recovery process. I therefore urge all international partners to continue to support Liberia during this critical phase, given the interlinkage between security and development in post-conflict situations.

76. The stability of Liberia will continue to be affected by developments in the subregion. I am particularly concerned that drug trafficking could trigger further destabilization. The claim made by the ruling military authority in Guinea, regarding possible attacks by armed elements based in neighbouring countries, raises the spectre of renewed regional conflict. The presence of armed Liberian combatants with uncertain intentions in neighbouring countries also remains a

serious cause for concern. The joint border patrols being undertaken by national security forces in the subregion are therefore an important initiative that should be expanded, to foster good-neighbourliness and security cooperation.

77. The elections of 2011 will be a critical milestone for Liberia and a test of the sustainability of the peace, as well as the capacity of national institutions to conduct and secure a highly sensitive political event. As recommended by the needs assessment mission, national capacities should be maximized for the elections. Gaps will be unavoidable, however. I therefore concur with the mission's recommendation that UNMIL be mandated to fulfil some electoral assistance tasks, including logistical support, coordination of international electoral assistance, and facilitating the creation of a positive climate for peaceful elections. In the meantime, UNDP will continue to develop an electoral assistance project in Liberia, the implementation of which will require the generous assistance of Liberia's partners. I also call on the Liberian authorities to do their part by adopting the required legislation establishing a legal framework for the elections, so that key tasks such as voter registration may commence.

78. In my special report of 10 June, I presented recommendations for the third stage of the Mission's drawdown, which would run from October 2009 to May 2010. The reductions would include the repatriation of 2,029 military personnel, three attack helicopters and 72 armoured personnel carriers from Liberia, leaving the UNMIL military strength at 8,202 personnel, including 7,952 troops in Liberia and 250 at the Special Court for Sierra Leone in Freetown. The UNMIL police component would remain at its current authorized strength of 1,375 personnel. In that report, I also recommended that the conduct of free and fair, conflict-free elections be added to the list of the Mission's core drawdown benchmarks. I request that the Security Council approve the recommendations contained in my special report and also extend the mandate of UNMIL for a period of one year, until 30 September 2010, with the electoral assistance role elaborated in paragraph 67 of the present report.

79. In conclusion, I wish to express my sincere gratitude to my Special Representative for Liberia, Ellen Margrethe Løj, and UNMIL civilian and uniformed personnel for their commitment in supporting the peace consolidation efforts of Liberia. I would also like to thank all troop- and police-contributing countries, ECOWAS, the African Union, the International Contact Group on Liberia, the United Nations agencies, funds and programmes, humanitarian organizations and multilateral and bilateral donors, as well as international and local non-governmental organizations, for their important contributions.

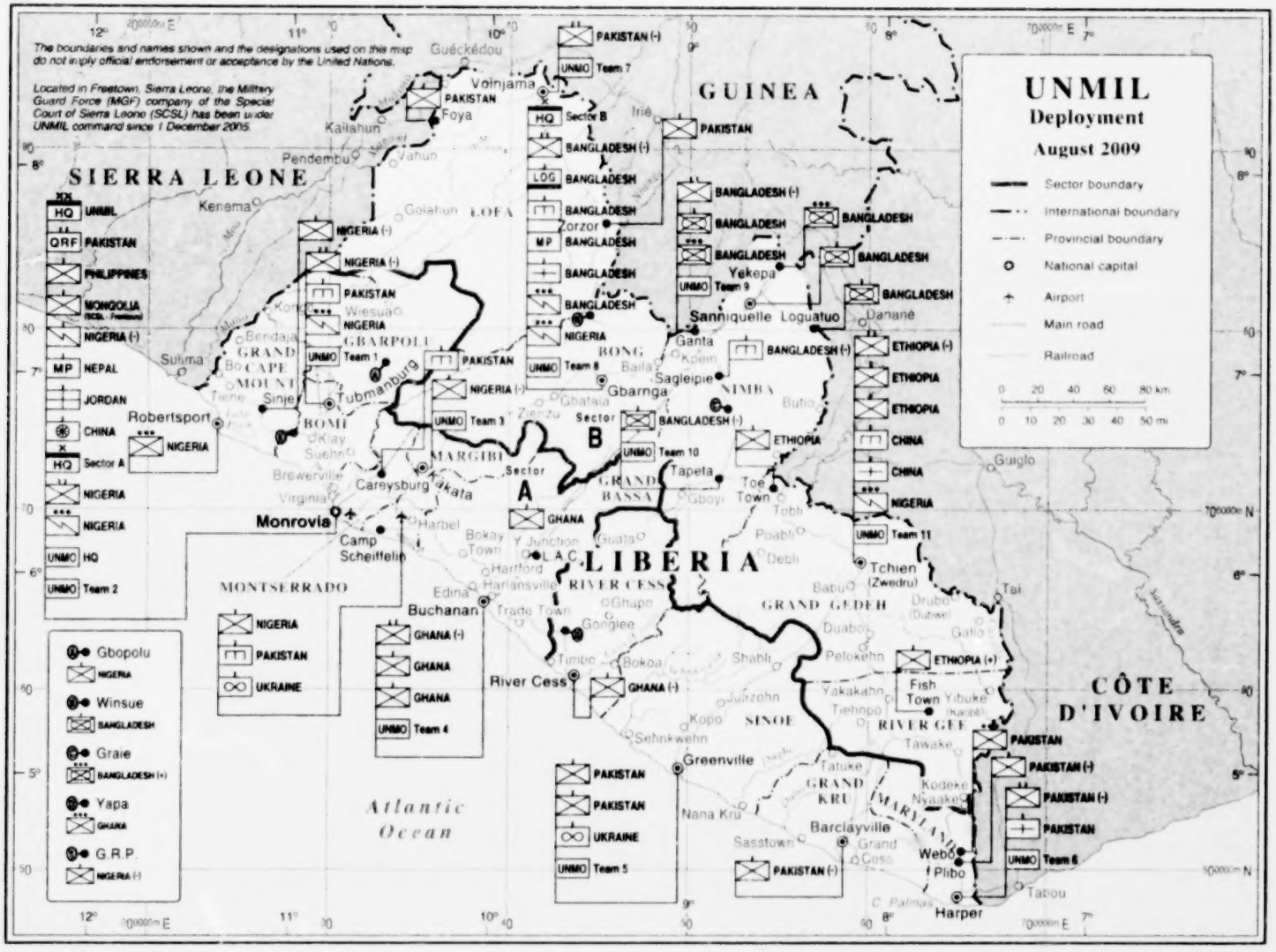
Annex

United Nations Mission in Liberia: military and police strength

(as at 4 August 2009)

	Military Component					
Country	*Military observers*	*Staff officers*	*Troops*	*Total*	*Formed police units*	*Civilian police*
Argentina	0	0	0	0		6
Bangladesh	11	9	2 329	2 349		17
Benin	2	0	0	2		0
Bolivia	2	1	0	3		0
Bosnia and Herzegovina	0	0	0	0		7
Brazil	0	2	0	2		0
Bulgaria	1	0	0	1		0
China	2	6	558	566		16
Croatia	0	2	0	2		0
Czech Republic	0	0	0	0		5
Denmark	2	0	0	2		0
Ecuador	2	1	0	3		0
Egypt	5	0	0	5		3
El Salvador	2	0	0	2		0
Ethiopia	13	4	869	886		0
Fiji	0	0	0	0		31
Finland	0	2	0	2		0
France	0	1	0	1		0
Gambia	2	0	0	2		19
Germany	0	0	0	0		6
Ghana	8	7	696	711		36
Iceland	0	0	0	0		2
India	0	0	0	0	257	3
Indonesia	2	0	0	2		0
Italy	0	0	0	0		1
Jamaica	0	0	0	0		1
Jordan	4	5	115	124	240	20
Kenya	0	0	0	0		20
Kyrgyzstan	3	0	0	3		4
Malawi	0	0	0	0		2
Malaysia	6	0	0	6		0
Mali	2	0	0	2		0
Mongolia	0	2	248	250		0

Country	Military Component				Formed police units	Civilian police
	Military observers	Staff officers	Troops	Total		
Montenegro	2	0	0	2		0
Namibia	1	3	0	4		6
Nepal	2	3	15	20	238	10
Niger	2	0	0	2		0
Nigeria	14	10	1 649	1 673	120	25
Norway	0	0	0	0		9
Pakistan	9	8	3 056	3 073		22
Paraguay	2	1	0	3		0
Peru	2	2	0	4		0
Philippines	4	1	135	140		26
Poland	2	0	0	2		3
Republic of Korea	1	1	0	2		0
Republic of Moldova	2	0	0	2		0
Romania	2	0	0	2		0
Russian Federation	3	0	0	3		16
Rwanda	0	0	0	0		5
Senegal	1	2	0	3		0
Serbia	4	0	0	4		6
Sri Lanka	0	0	0	0		6
Sweden	0	0	0	0		16
Togo	2	1	0	3		0
Turkey	0	0	0	0		31
Uganda	0	0	0	0		18
Ukraine	2	2	300	304		14
United States of America	4	5	0	9		12
Uruguay	0	0	0	0		4
Yemen	0	0	0	0		7
Zambia	3	0	0	3		17
Zimbabwe	2	0	0	2		32
Total	**135**	**82**	**9 970**	**10 186**	**855**	**488**



Map No. 4211 Rev. 21 UNITED NATIONS
August 2009

Department of Field Support
Cartographic Section

United Nations S/2009/412

Security Council

Distr.: General
11 August 2009

Original: English

Letter dated 11 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith a report on the work of the Security Council during the presidency of Turkey in June 2009 (see annex). The document was prepared under my responsibility, following consultations with other members of the Security Council.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Fazlı **Çorman**
Minister Counsellor
Chargé d'affaires a.i.

09-45447 (E) 180809

Please recycle

Annex to the letter dated 11 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the President of the Security Council

Assessment of the work of the Security Council during the presidency of Turkey (June 2009)

Introduction

During the month of June 2009, under the presidency of Ambassador Baki Ilkin, Permanent Representative of Turkey to the United Nations, the Security Council held 11 consultations of the whole and 21 formal meetings, including two private meetings, one private debate and 18 public meetings.

In June 2009, the Council adopted three resolutions, two presidential statements and four statements to the press.

Africa

Sudan

On 5 June, the Security Council received its biannual briefing from the Prosecutor of the International Criminal Court, Luis Moreno-Ocampo, pursuant to Security Council resolution 1593 (2005). In his briefing, the Prosecutor provided information to the Council on the activities of his Office with regard to Darfur and summarized his planned activities for the next six months. The Prosecutor emphasized that all States parties to the Court's founding Rome Statute have a responsibility to arrest and surrender any indictee travelling in their territory, noting also that, while non-signatories to the Statute have no such legal obligation, the Council in resolution 1593 (2005) urged them to cooperate fully with the Court. The Prosecutor further informed the Council that, in the coming six months, and in accordance with its mandate, the Office of the Prosecutor would continue monitoring ongoing crimes, galvanizing efforts to arrest fugitives and building cooperation with regional organizations. The briefing was followed by a private debate on the matter, during which Council members were able to express their positions on this issue.

On 11 June, at a formal meeting, the Council was briefed by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, John Holmes, on his recent trip to the Sudan. The Under-Secretary-General, who described the expulsion of humanitarian aid workers from the Sudan on 4 March as unjustified, explained that through the efforts of the humanitarian community, working together with the Government of the Sudan, the most critical lifesaving gaps had been significantly narrowed and a humanitarian crisis had been prevented. Nonetheless, he noted that a full return of humanitarian capability was still needed in Darfur. He further stated that following the decision of 4 March, the Government of the Sudan had taken some important steps to rebuild cooperation with the humanitarian community and had reaffirmed existing agreements. He also emphasized that, in order to meet the requirements of the new situation throughout the Sudan, the financing needs for humanitarian assistance must be reworked. He called on both the Government and the donor community for accelerated help. He

also mentioned the situation in the south of the Sudan as a source of major concern. The briefing was followed by informal consultations.

On 19 June, during consultations of the whole, the Chairman of the Security Council Committee established pursuant to resolution 1591 (2005) presented to Council members the 90-day report on the work of the Committee.

Sierra Leone

On 8 June, at a formal meeting, the Executive Representative of the Secretary-General and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), Michael von der Schulenburg, briefed the Council on developments in Sierra Leone and the activities of UNIPSIL. While noting that the democratic gains in Sierra Leone remained fragile, the Executive Representative praised the political leadership of Sierra Leone for an agreement that he said had kept recent political violence from spiralling out of control. The Executive Representative also called for international support for the United Nations unified post-conflict strategy in the country. The Chair of the Sierra Leone configuration of the Peacebuilding Commission, Ambassador John McNee of Canada, and the Minister for Foreign Affairs and International Cooperation of Sierra Leone, Zainab Hawa Bangura, also addressed the Council. Following the briefings, all Council members took the floor and shared their views on the recent developments and the way forward.

Burundi

On 9 June, at a formal meeting, the Council heard briefings concerning the situation in Burundi by the Executive Representative of the Secretary-General and head of the United Nations Integrated Office in Burundi (BINUB), Youssef Mahmoud; Ambassador Per Örnéus of Sweden on behalf of Ambassador Anders Lidén, Chair of the Burundi configuration of the Peacebuilding Commission; and the Director-General at the Ministry of Foreign Affairs of Burundi, Ambassador Adolphe Nahayo. The briefings were followed by closed consultations among the members of the Council, at the end of which the President read a statement to the press, commending the advances in the Burundian peace process; urging all the Burundian parties, with the support of regional and international partners, to pursue their efforts to address the remaining challenges, in particular the completion of the disarmament, demobilization and reintegration process; encouraging all stakeholders to prepare the ground for peaceful, free and fair elections in 2010; encouraging the Government to take further steps regarding democratic governance, human rights, social and economic development, justice and security reforms; and welcoming the engagement of the Peacebuilding Commission in assisting Burundi to lay the foundations of its long-term development.

Somalia

On 19 June, following informal consultations, the Council issued a statement to the press strongly condemning the suicide bomb attack in Beledweyne on 18 June 2009, which killed the Somali Minister of Security, Omar Hashi Aden, along with community leaders and other innocent Somalis. The members of the Council also reiterated their continued and full support to the Transitional Federal Government, the Djibouti process and the African Union Mission in Somalia (AMISOM).

Central African Republic

On 22 June, at a formal meeting, the Council heard briefings on the situation in the Central African Republic by the Under-Secretary-General for Political Affairs, B. Lynn Pascoe, the Chair of the Central African Republic configuration of the Peacebuilding Commission, Ambassador Jan Grauls of Belgium, and the Permanent Representative of the Central African Republic to the United Nations. The Under-Secretary-General stated that the best way to address the multifaceted problems besetting the Central African Republic was through the implementation of the recently adopted Strategic Framework for Peacebuilding. He further emphasized that, while there were important efforts to implement the recommendations of the 2008 National Political Dialogue, activities of violent rebels were undermining the peacebuilding framework and bringing about increased insecurity. He introduced the newly appointed Special Representative of the Secretary-General and Head of the United Nations Peacebuilding Office in the Central African Republic (BONUCA), Sahle-Work Zewde, to the Council. During the closed consultations that followed, the Council members spoke in support of the transformation of BONUCA into an Integrated Peacebuilding Office (BINUCA).

Guinea-Bissau

On 9 June, following the assassination of Baciro Dabo, one of the candidates in the upcoming presidential elections in Guinea-Bissau, and Helder Proença, a former Minister of Defence, the Council issued a statement to the press condemning the killings, expressing deep concern over the resurgence of political violence and calling on the Government of Guinea-Bissau to bring to justice those responsible for these violent acts.

On 23 June, at a formal meeting, the Council heard briefings from the Special Representative of the Secretary-General and head of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS), Joseph Mutaboba, and the Chair of the Guinea-Bissau configuration of the Peacebuilding Commission, Ambassador Luiza Viotti of Brazil, on the developments in that country. Emphasizing that the challenges in Guinea-Bissau were enormous, the Special Representative stated that, although the Government and the people of the country had the primary responsibility to address those challenges, the international community should also stay engaged and provide the much-needed support for critical reforms in the justice, public administration, defence and security sectors and, most urgently, for the conduct of peaceful presidential elections. Following the briefings, Council members exchanged views on this issue in closed consultations.

On 26 June, the Council unanimously adopted resolution 1876 (2009), by which it extended the mandate of UNOGBIS until 31 December 2009 and requested the Secretary-General to establish a United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) to succeed UNOGBIS, for an initial period of 12 months, beginning on 1 January 2010.

Liberia

On 25 June, the Council held closed consultations regarding the United Nations Mission in Liberia (UNMIL) on the basis of the special report of the Secretary-General (S/2009/299). Following a briefing by the Under-Secretary-General for Peacekeeping Operations, members of the Council exchanged views on

developments in Liberia, the envisaged phased drawdown of UNMIL and the approach outlined by the Secretary-General in his report.

During the same consultations, the Acting Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) presented to the Council his 90-day report on the activities of the Committee and the Panel of Experts.

Côte d'Ivoire

On 25 June, in closed consultations, the Council heard a briefing from the Under-Secretary-General for Peacekeeping Operations, Alain Le Roy, on his visit to Côte d'Ivoire with a view to taking stock of progress made in the Ivorian peace process. He stated, inter alia, that all national and international stakeholders whom he consulted had reiterated their commitment to hold elections on 29 November 2009 and assured him that the remaining tasks under the reunification agenda would not pose obstacles to meeting the election date.

Asia

Iraq

On 18 June, at a public meeting chaired by the Minister for Foreign Affairs of Turkey, Ahmet Davutoğlu, the Council discussed the situation in Iraq and reviewed the activities of the United Nations Assistance Mission for Iraq (UNAMI) on the basis of the Secretary-General's quarterly report. In his opening remarks, the Minister welcomed the progress made by the Iraqis in several key areas, acknowledged the remaining challenges and the need to tackle them with a sense of purpose and determination, and reiterated the commitment of the Council to support Iraq's quest for peace, security and prosperity.

In his last briefing to the Council as the Special Representative of the Secretary-General for Iraq, Staffan de Mistura gave a detailed account of the recent developments in the country, stressing the improvements in the security situation, as well as the continued need to work towards national reconciliation. He also recounted the activities of UNAMI in various fields, with a particular emphasis on its study regarding the disputed internal administrative boundaries and the Mission's continued assistance to the Iraqi people and Government in preparation for the upcoming elections.

The Council members all spoke in support of the activities of UNAMI in Iraq in line with its mandate. While welcoming the security improvements, many members urged Iraq to expeditiously take the necessary steps to make this positive trend irreversible, including through an inclusive dialogue and cooperation leading to national reconciliation. In this regard, the need to find a consensual solution to the issue of disputed internal administrative boundaries, including the status of Kirkuk, and the importance of reaching agreement on some key pieces of legislation, including the hydro-carbon resources and income-sharing laws, as well as the necessity to continue fighting against extremism and terrorism, were also underlined.

At the end of the meeting, in which the Permanent Representative of Iraq also participated, the Council adopted a presidential statement (S/PRST/2009/17), in which it reaffirmed its commitment to Iraq's independence, sovereignty, unity and

territorial integrity; emphasized the importance of the stability and security of Iraq for its people, the region and the international community; commended the important efforts made by the Government of Iraq to strengthen democracy; and reaffirmed its full support for UNAMI in advising, supporting and assisting the Iraqi people and Government to strengthen democratic institutions, advance inclusive political dialogue and national reconciliation and, among other tasks, facilitate regional dialogue.

United Nations Disengagement Observer Force

On 19 June, the Council held a private meeting with troop-contributing countries to the United Nations Disengagement Observer Force (UNDOF), at which they were briefed about recent developments relevant to the mandate of UNDOF. Later that day, during closed consultations, members of the Council heard a briefing by the Director of the Asia and Middle East Division of the Department of Peacekeeping Operations, Wolfgang Weisbrod-Weber, on the activities of UNDOF. After the briefing, all Member States expressed support for UNDOF and for the goal of a just, lasting and comprehensive peace in the Middle East.

On 23 June, the Council adopted resolution 1875 (2009), by which it extended the mandate of UNDOF for a period of six months, together with the accompanying presidential statement (S/PRST/2008/18).

United Nations Regional Centre for Preventive Diplomacy for Central Asia

On 19 June, in closed consultations, the members of the Council heard a briefing on the activities of the United Nations Regional Centre for Preventive Diplomacy for Central Asia by the Special Representative of the Secretary-General and Head of the Centre, Miroslav Jenca. Following an exchange of views among the members, the President of the Council read a statement to the press, welcoming the efforts of the Centre in addressing regional issues of common concern and reaffirming the Council's support to the Centre to facilitate dialogue and assist the Governments of Central Asia in addressing multiple challenges facing the region.

The situation in the Middle East, including the Palestinian question

On 23 June, at a formal meeting, the Council heard a briefing on the situation in the Middle East by the Special Coordinator for the Middle East Peace Process, Robert Serry. He reported to the Council that international diplomatic efforts were under way to reinvigorate the peace process for a two-State solution, and underlined the importance of reactivating the regional tracks alongside a rejuvenated Israeli-Palestinian track. He also emphasized the negative repercussions of the unresolved crisis in Gaza on efforts to advance the peace process, and also expressed concern regarding continuing illegal settlement construction across the West Bank and about inadequate enforcement of the rule of law against violent settlers. The Special Coordinator also stressed the need for Palestinian reconciliation and reunification, and noted continuing efforts to prevent the resupply of illicit weapons to militants in Gaza. With regard to Lebanon, he noted that the parliamentary elections of 7 June were held in an atmosphere of calm and that a climate of dialogue and cooperation had prevailed in Lebanon since then. During the consultations of the whole that followed, many Council members stressed the importance of the vision of two States, and called on the parties to fulfil their obligations emanating from the road

map and to avoid taking steps that might prejudge the final outcome of the negotiations. The need for Palestinian unity was also widely emphasized, as was the hope that a government would soon be formed in Lebanon.

Afghanistan

On 30 June, at a formal meeting, the Council heard a briefing by the Special Representative of the Secretary-General for Afghanistan, Kai Eide, on the situation in Afghanistan and its implications for international peace and security. Stressing the crucial importance of the presidential and provincial elections to be held in August, the Special Representative said that, if managed well, the elections could become a turning point in efforts to end the conflict in Afghanistan. While underlining the emergence of some positive elements such as increased emphasis on civilian efforts, a focus on sub-national governance and the better alignment of international efforts, he also said that there still remain daunting challenges to be tackled and that the ongoing violence in particular seriously undermines the prospects for progress. The members of the Council stressed the importance of the upcoming elections in achieving security and stability in the country and pledged to work closely with the United Nations and the Government of Afghanistan. Representatives of Afghanistan and a number of Member States also participated in the debate.

Sri Lanka

On 5 June, the Council held an informal interactive discussion on Sri Lanka to hear a briefing by the Secretary-General regarding his recent visit to that country. The Permanent Representative of Sri Lanka participated in the discussion. In his briefing the Secretary-General welcomed the end of the 25-year-long struggle of the Government of Sri Lanka against the Liberation Tigers of Tamil Eelam, which is recognized as a terrorist organization by many members of the Council, and shared his observations on the possible way ahead to address the humanitarian and political situation in the country, stressing in particular the needs of the internally displaced persons. The members of the Council expressed their support for the efforts of the United Nations and the Secretary-General's recommendations.

Europe

Georgia

On 12 June, the Council held a private meeting with countries contributing troops to UNOMIG, during which the participants heard a briefing by the Assistant Secretary-General for Peacekeeping Operations, Edmond Mulet, on the latest developments in Georgia and the activities of the United Nations Mission.

On 15 June, the Council held two rounds of closed consultations to exchange views on a draft resolution, submitted by Austria, Croatia, France, Germany, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America, seeking to extend by two weeks the mandate of UNOMIG which was to expire on the same day. The Council then proceeded to vote on the draft resolution, which received 10 votes in favour, 1 against (Russian Federation) and 4 abstentions (China, Libyan Arab Jamahiriya, Uganda, Viet Nam), and was not adopted.

Kosovo

On 17 June, the Council held a public meeting to address the Secretary-General's latest report covering the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK). In his briefing to the Council, the Special Representative of the Secretary-General, Lamberto Zannier, said that the United Nations remains uniquely situated to play a useful role in Kosovo, by facilitating the resolution of problems as an intermediary between parties. He also said that, as the three-phased reconfiguration of UNMIK is winding up, the Mission is now progressively shifting its focus towards an increasingly diplomatic and political role aimed at facilitating dialogue and fostering minority rights. The Minister for Foreign Affairs of Serbia, Vuk Jeremic, and Skender Hyseni of Kosovo also participated in the meeting.

Other matters

Non-proliferation/Islamic Republic of Iran

On 15 June, at a formal meeting, the Permanent Representative of Japan, Ambassador Yukio Takasu, in his capacity as Chairman of the Security Council Committee established pursuant to 1737 (2006), presented to the Council the tenth quarterly report of the Committee, covering the period from 11 March to 15 June 2009. The report mentioned the Committee's request for information from two Member States regarding a transfer of materiel that constituted a violation of paragraph 5 of resolution 1747 (2007). The members of the Council who spoke after the presentation of the report underlined the importance of implementing resolutions 1737 (2006), 1747 (2007) and 1803 (2008) and ensuring that the Committee responded effectively to the violation of resolution 1747 (2007).

Non-proliferation/Democratic People's Republic of Korea

On 10 June, in closed consultations, the United States submitted a draft resolution regarding the nuclear test and the missile launches carried out by the Democratic People's Republic of Korea on 25 May 2009 in violation of resolutions 1695 (2006) and 1718 (2006). The draft resolution was co-sponsored by France, Japan, the Republic of Korea and the United Kingdom.

On 12 June, the Council unanimously adopted resolution 1874 (2009), by which it condemned in the strongest terms the nuclear test conducted by the Democratic People's Republic of Korea on 25 May 2009 and demanded that the Democratic People's Republic of Korea not conduct any further nuclear test or any launch using ballistic missile technology. By the resolution the Council also introduced financial measures and new measures of inspecting cargo suspected of containing proscribed goods; imposed additional restrictions on the supply of arms and related materiel to and from the Democratic People's Republic of Korea; created a Panel of Experts to help to monitor and improve implementation of the measures; and requested the Committee established pursuant to resolution 1718 (2006) to adjust the measures imposed by paragraph 8 of resolution 1718 (2006) and resolution 1874 (2009), including through the designation of individuals, entities and goods.

Threats to international peace and security caused by terrorist acts

On 11 June, in closed consultations, the Council conducted an interim review of the work of the Counter-Terrorism Committee Executive Directorate, pursuant to resolution 1805 (2008). The Acting Chairman of the Counter-Terrorism Committee presented the report of the Committee to that effect and the Director of the Executive Directorate, Mike Smith, also briefed the Council. The members of the Council expressed their appreciation for the valuable work undertaken by the Executive Directorate since March 2008 and supported the content of the aforementioned report. Following the meeting, the President of the Council made brief oral remarks to the press, reaffirming the grave threat posed by terrorism, stressing the Council's commitment to fighting this scourge, underlining the importance of coordination and cooperation among the three relevant subsidiary bodies of the Council (Counter-Terrorism Committee, Committees established pursuant to resolutions 1267 (1999) and 1540 (2004)) and appreciating the Executive Directorate's contribution to the Counter-Terrorism Committee in monitoring and promoting the implementation of resolutions 1373 (2001) and 1624 (2005).

Protection of civilians

On 26 June, the Council held an open debate to discuss the Secretary-General's report on the protection of civilians in armed conflict (S/2009/277). The Council first heard a briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, who gave a detailed account of the sufferings of millions of civilians trapped in armed conflict or forced into flight. He said that, despite certain progress in the past 10 years, particularly with respect to the Council's involvement, the situation on the ground remained largely unchanged, with civilians continuing to bear the brunt of the armed conflicts, and that much greater efforts were required to enhance compliance with the applicable laws and accountability on the part of those who failed to comply. During the ensuing debate, in which more than 40 delegations participated, speakers stressed the need for all parties to conflict to respect international humanitarian law and provide safe and unhindered access for humanitarian aid.

United Nations peacekeeping operations

On 29 June, the Council held a thematic debate on the reform of the United Nations peacekeeping operations, with the participation of major troop-, police- and finance-contributing countries, including the European Union and the African Union. The Council first heard briefings by the Under-Secretaries-General for Peacekeeping Operations and Field Support, Alain Le Roy and Susana Malcorra, on their joint review of the United Nations peacekeeping system and its expected outcome, in the form of a non-paper entitled "New Horizon".

The ensuing debate, during which 35 delegations spoke, revealed a broad consensus among the Member States on many issues concerning the United Nations peacekeeping mechanisms, and underlined the strong support for the reform initiatives. All speakers acknowledged the utility of deepened discussions on all aspects of the United Nations peacekeeping system, including the political-strategic, administrative, financial and operational levels, as well as the need to strengthen cooperation among all stakeholders, in particular between the Security Council, the Secretariat and the troop/police/finance-contributing countries.

International Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda

On 4 June, at a public meeting chaired by the Minister for Foreign Affairs of Turkey, the Council called on the International Tribunals for the former Yugoslavia and Rwanda to continue to implement their completion strategies with maximum efficiency and to expedite the completion of all cases, without prejudice to due process and fair trial. After listening to the briefings by the Presidents and Prosecutors of the Tribunals, members of the Council also stressed the importance of the international community continuing to work towards securing the arrests of the 15 individuals who have been indicted by the Tribunals but so far remain at large. Members of the Council welcomed the progress in the work carried out by the Informal Working Group on International Tribunals concerning residual mechanism(s), and called on the Group to resolve the remaining outstanding issues in the near future.

United Nations A/63/938–S/2009/413

General Assembly
Security Council

Distr.: General
11 August 2009

Original: English

General Assembly
Sixty-third session
Agenda item 12
Prevention of armed conflict

Security Council
Sixty-fourth year

Identical letters dated 7 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit a statement of the Russian Ministry of Foreign Affairs on the anniversary of the tragic events in South Ossetia (see annex).

I should be grateful if the present letter and its annex were circulated as a document of the General Assembly under agenda item 12, and of the Security Council.

(*Signed*) Igor N. **Sheherbak**
Chargé d'affaires a.i.

09-45396 (E) 130809

Please recycle

Annex to the identical letters dated 7 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Russian Ministry of Foreign Affairs

6 August 2009

8 August marks the one-year anniversary of the tragic events in South Ossetia. On that night the regime of Mikhail Saakashvili made an ignoble and inhuman attack on its peaceful inhabitants and also on the Russian peacekeepers that had for many years defended the peace and security of the peoples living in the fragile Transcaucasian region.

During the Georgian aggression inhuman types of weapons were massively used — including cluster munitions, volley-fire systems, and 500-kilogram bombs. As a result hundreds of peaceful inhabitants of Tskhinval and neighbouring settlements and dozens of Russian military men, including peacekeepers, died, and the number of wounded and injured is immeasurably greater. To identify many of the dead does not appear possible to this day. The scale of destruction was truly appalling.

The enormous number of human casualties and the appearance of thousands of refugees attest to the fact the fact that this was neither a mistake nor a fortuity by pre-planned criminal actions. The trophy documents of the Georgian army, including the notorious Clean Field plan, unequivocally corroborate this.

Russian citizens experience anger and pain, recalling the events of last August. We mourn together with the South Ossetian people, pay a tribute to the memory of the dead, and promise to continue helping all those who suffered during the conflict.

The tragic events in South Ossetia have again demonstrated to the whole of the international community that there is no alternative to peaceful negotiation methods of resolving disputes and conflicts — unfortunately, at the cost of innocent lives. There is no forgiveness for that, nor can there be. The war criminals must suffer an appropriate punishment. The modern history of Europe knows of quite a few examples on that score.

Georgia's barbaric aggression against the former part of its own State has vividly highlighted the profound cracks in the then existing system of European security. It proved unable to prevent sudden and wide-scale attacks on the territories that were in the sphere of close attention of major international institutions.

The Russian Federation has been a consistent supporter of the political principles for a peaceful settlement in Transcaucasia, acting as an impartial and honest mediator in the United Nations — and OSCE — brokered talks. For 17 years we performed the crucial peacekeeping functions and were ready — in case of a settlement — to assume the role of a guarantor in the agreements of the conflicting sides. But the Georgian authorities chose to shoot up the territorial integrity of their State from Grad missile systems, thus giving up for lost the restoration of an inter-ethnic community with the neighbouring nationalities. Moreover, in the first days after the Tshkinval bloodshed in the Saakashvili regime further aggravated the

situation as it tried to accuse Russia of unleashing the conflict and continued to threaten its neighbours.

In the circumstances we had no way of ensuring the peace and security of the peoples of South Ossetia and Abkhazia other than recognizing their independence and offering them a free democratic choice of their own State and national development. Russia was the first to find the courage to grasp the objective reality. That was the most effective decision, of benefit to everybody, even those who do not want to acknowledge this.

The presence of our troops and border guards under the bilateral agreements that have been ratified by the parliaments is absolutely legitimate. It provides reliable security for the republics and creates conditions for their independent development. Russia will continue rendering extensive socio-economic assistance to the brother peoples of South Ossetia and Abkhazia, primarily in questions of housing and civil infrastructure reconstruction and assistance in the defence of their States and the protection of their borders.

A year after the Georgian aggression the peoples of Transcaucasia, nevertheless, still experience quite a few challenges and problems. Chief among them remains the policy of revanche and the prospect of a relapse of actions of force by Georgia. Despite the failure of the August adventure, the authorities in Tbilisi apparently do not intend to give up plans for a forcible restoration of the "integrity of Georgia". Therefore we must insist on assuming legal obligation not to use force and such obligations must be unconditionally assumed by Georgia not towards Russia, but towards the neighbour republics of South Ossetia and Abkhazia. Only in this way can Tbilisi restore at least a minimum of trust towards itself on the part of the neighbouring countries and the international community. The agreements on the non-use of force must contain clear-cut guarantees of security for the peoples of South Ossetia and Abkhazia. This will prevent a repetition of the tragedy. All democratic States and peoples must be interested in averting new outbreaks of violence in the region.

It is also hard to overestimate the need for all countries to refrain during a lengthy period from supplies to Georgia of offensive, and ideally all types of, weapons and military equipment. The massive arms supplies from abroad in recent years created in the Georgian leadership an illusion of impunity and all-permissiveness, and engendered the temptation to solve its problems by military means. The perilous consequences of this are now obvious. The international community must demonstrate a responsible approach in this matter and recognize the new geopolitical changes that took place in Transcaucasia after the August events.

Attempts to carry on as if nothing had happened and to ignore the fully sovereign existence of independent South Ossetia and Abkhazia eventually lead to the closure in these countries and Georgia of the international presences that had generally provided useful assistance to the peoples of the region. That was not our choice. Nor does the responsibility lie on Russia for the withdrawal of the international missions, however hard some people may try to present this.

Nevertheless, we believe that given the proper drawing by all parties concerned of the lessons and conclusions from the tragedy of last August the international community can foster and establish constructive cooperation in

Transcaucasia. The main ways for that are laid down by the Medvedev-Sarkozy plan, the provisions of which Russia has been completely and rigorously fulfilling and will continue to fulfil in the future as well. Only by joint efforts can we preserve peace on our European continent.

The events of August 2008 will remain the focus of attention among politicians and political scientists for a long time to come. It is important that the process of their comprehension should not be a hostage to ideologized or bloc approaches but contribute to the search for adequate ways and means of ensuring stability and security in Transcaucasia.

United Nations A/63/943–S/2009/414

General Assembly
Security Council

Distr.: General
12 August 2009
English
Original: Arabic

General Assembly
Sixty-third session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fourth year

Identical letters dated 11 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations from 1 to 31 July 2009 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-third session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

09-45770 (E) 140809 180809

Please recycle

Annex to the identical letters dated 11 August 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Subject: Israeli violations, acts of aggression and other activities from 1 to 31 July 2009

Air violations

On 1 July 2009, between 0718 hours and 1915 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and flying north as far as Nabatiyah. It circled over regions of the South, and departed over Rumaysh.

On 4 July 2009, between 0615 hours and 1155 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over the sea off Sidon and flying east as far as the Bekaa. It circled over Rayak and regions of the South, and departed over Kafr Kila.

On 5 July 2009, between 0645 hours and 1520 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over the South, al-Hirmil, al-Arz, Rayak and Baalbek, and departed over Rumaysh.

Between 0720 hours and 1930 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over 'Alma al-Sha'b and flying northeast. It circled over regions of the South, and departed over Rumaysh.

On 6 July 2009, between 1000 hours and 1140 hours, two enemy Israeli military aircraft violated Lebanese airspace, entering over Kafr Kila. They circled over all regions of Lebanon, and departed over al-Naqurah.

Between 0710 hours and 1850 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over regions of the South, Rayak, Baalbek and al-Hirmil, and departed over al-Naqurah.

On 15 July 2009, between 1140 hours and 1835 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over 'Alma al-Sha'b and flying north. It circled over the southern regions and Beirut, and departed over al-Naqurah.

On 18 July 2009, between 0800 hours and 2035 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over regions of the South, and departed over al-Naqurah.

On 19 July 2009, between 0830 hours and 2245 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over regions of the South and departed over Rumaysh.

Between 1010 hours and 1140 hours, two enemy Israeli military aircraft violated Lebanese airspace, entering over Kafr Kila and flying north as far as Shikka. They circled over all regions of Lebanon, and departed over 'Alma al-Sha'b.

On 20 July 2009, between 1010 hours and 1145 hours, two enemy Israeli military aircraft violated Lebanese airspace, entering over Kafr Kila and flying north. They circled over all regions of Lebanon, and departed over the sea off al-Naqurah.

Between 1305 hours and 1345 hours, two enemy Israeli military aircraft violated Lebanese airspace, entering over the sea off Juniyah and flying east. They circled between Shikka and Beirut over sea and land, and departed over Yarun.

On 21 July 2009, between 0610 hours and 1540 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over regions of the South and departed over al-Naqurah.

On 23 July 2009, between 0800 hours and 1455 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and flying north as far as al-Hirmil. It circled over regions of Baalbek-Hirmil, and departed over al-Naqurah.

At 0830 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and flying north as far as Sidon. It circled over regions of the South, and departed on 24 July 2009 at 0330 hours over 'Alma al-Sha'b.

On 25 July 2009, at 0845 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and flying north-east. It circled over the regions of Baalbek, Rayak and al-Hirmil, and departed on 26 July 2009 at 0050 hours over Kafr Kila.

On 26 July 2009, between 1020 hours and 1130 hours, two enemy Israeli military aircraft violated Lebanese airspace, entering over 'Alma al-Sha'b. They circled over all regions of Lebanon, and departed over Rumaysh.

On 27 July 2009, between 1025 hours and 1215 hours, two enemy Israeli military aircraft violated Lebanese airspace, entering over Kafr Kila. They circled over all regions of Lebanon, and departed over 'Alma al-Sha'b.

At 1415 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over the regions of the South and Beirut, and departed on 28 July 2009 at 0030 hours over Rumaysh.

On 28 July 2009, between 1030 hours and 1115 hours, four enemy Israeli military aircraft violated Lebanese airspace, entering over Kafr Kila and flying north as far as Shikka. They circled over all regions of Lebanon, and departed over Rumaysh.

Between 1040 hours and 1205 hours, two enemy Israeli military aircraft violated Lebanese airspace, entering over Kafr Kila and flying north as far as Tripoli. They circled over all regions of Lebanon, and departed over al-Naqurah.

Between 0845 hours and 1530 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah and flying north as far as Nabatiyah. It circled over the South, and departed over al-Naqurah.

On 30 July 2009, between 0714 hours and 2040 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over the South and Beirut, and departed over al-Naqurah.

Sea violations

On 1 July 2009, at 0105 hours, the Israeli enemy shone a searchlight from its Ra's al-Naqurah position in the direction of Lebanese territorial waters approximately 400 metres north of the first buoy four separate times for five seconds each time.

At 0140 hours, the Israeli enemy shone a searchlight for five seconds from its Ra's al-Naqurah position in the direction of Lebanese territorial waters approximately 400 metres north of the fifth buoy.

On 15 July 2009, at 2215 hours, the Israeli enemy shone a searchlight for five seconds from its Ra's al-Naqurah position in the direction of Lebanese territorial waters and at the Lebanese Army position in Ra's al-Naqurah.

On 16 July 2009, at 2225 hours, the Israeli enemy shone a searchlight for five seconds from its Ra's al-Naqurah position in the direction of a Lebanese fishing vessel located 50 metres inside Lebanese territorial waters opposite the third buoy.

On 24 July 2009, at 2315 hours, personnel at the Lebanese Army's LM-6 observation post on the beach at Qulaylah observed several hot air balloons being dropped over the open sea by an Israeli enemy military aircraft that was not visible.

On 25 July 2009, at 0355 hours, the Israeli enemy fired three warning rounds of medium-weapons fire from its Ra's al-Naqurah position into the air over a Lebanese fishing vessel as it approached to within 30 metres of the first buoy inside Lebanese territorial waters, forcing it to leave the area.

On 26 July 2009, at 0400 hours, from the open sea off Ra's al-Naqurah inside Palestinian territorial waters, an enemy Israeli military launch shone a searchlight for six seconds in the direction of a Lebanese fishing vessel approximately 50 metres from the sixth buoy, thereby violating Lebanese territorial waters.

On 30 July 2009, at 0125 hours, from the open sea off Ra's al-Naqurah inside Palestinian territorial waters, an enemy Israeli military launch shone a searchlight for five seconds in the direction of Lebanese territorial waters.

Ground violations

On 5 July 2009, at 1930 hours, telephone calls were received on mobile phones in the western Bekaa area, offering a 10 million dollar reward to anyone providing information on the Israeli soldiers missing in Lebanon.

At 2033 hours, the Israeli enemy stationed at the Zar'it barracks shone a searchlight for five minutes in the direction of the Lebanese Army position at Jabal Balat (Marwahin).

On 6 July 2009, at 1140 hours, an enemy Israeli patrol stopped at the Fatimah gate in Kafr Kila. Two soldiers disembarked and took photographs of the Lebanese Army position and civilian automobiles.

On 7 July 2009, at 1210 hours, an enemy Israeli patrol took photographs of the Wardah rest spot inside Lebanese territory near the Lebanese Army position at Kafr Kila, and departed when it was finished.

At 1600 hours, an enemy Israeli patrol consisting of two jeeps departed the Misgav Am outpost. When it arrived opposite the Lebanese Army checkpoint at

'Adaysah, a civilian disembarked from the forward jeep and began to photograph the checkpoint and the nearby observation post manned by the Indonesian contingent of the United Nations Interim Force in Lebanon (UNIFIL). The photographing went on for approximately two minutes, after which the patrol departed.

On 15 July 2009, at various times, several telephone calls in Hebrew were received from the Israeli enemy on fixed and mobile networks in various regions of the South, offering the sum of 10 million American dollars in exchange for information on the missing Israeli soldiers.

On 17 July 2009, at 2035 hours, the Israeli enemy shone a searchlight for one minute from its Zar'it barracks position in the direction of Lebanese territory.

On 21 July 2009, at 2020 hours, the Israeli enemy shone a searchlight for 20 seconds from its Zar'it barracks position in the direction of the Lebanese Army position in Tarbikha (Marwahin).

On 30 July 2009, at 1405, two dogs from the Israeli enemy's 'Abbad position crossed the technical fence in the direction of Lebanese territory. They were driven back by LM-11 personnel, one of whom fired in their direction without hitting or capturing them.